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W. ROBERTSON D.D.

THE

HISTORY

OF

SCOTLAND,

DURING THE REIGNS OF

QUEEN MARY AND OF KING JAMES VI.

TILL

His Accession to the CROWN of ENGLAND.

WITH

A Review of the Scottish History

PREVIOUS TO THAT PERIOD;

And an APPENDIX containing ORIGINAL PAPERS.

By WILLIAM ROBERTSON, D. D.

PRINCIPAL OF THE UNIVERSITY OF EDINBURGH, AND HISTORIOGRAPHER TO HIS MAJESTY FOR SCOTLAND.

IN THREE VOLUMES.

VOL. I.

EDINBURGH:

PRINTED BY J. ROBERTSON, FOR THE BOOKSELLERS.

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THE AUTHOR'S

PREFACE.

I DELIVER this book to the world with all the diffidence and anxiety natural to an author on publishing his first performance. The time I have employed, and the pains I have taken, in order to render it worthy of the public approbation, it is, perhaps, prudent to conceal, till it be known whether that approbation shall ever be bestowed upon it.

But as I have departed, in many instances, from former historians, as I have placed facts in a different light, and have drawn characters with new colours, I ought to account for this conduct to my readers; and to produce the evidence on which, at the distance of two centuries, I presume to contradict the testimony of cotemporary or of less remote historians.

The transactions in Mary's reign gave rise to two parties which were animated against each other with the fiercest political hatred, embittered by religious zeal. Each of these produced historians of considerable merit, who adopted all their sentiments, and defended all their actions. Truth, however, was not the sole object of these authors. Blinded by prejudices, and heated by the part which they

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themselves had acted in the scenes they describe, they wrote an apology for a faction, rather than the history of their country. Succeeding historians have followed these guides almost implicitly, and have repeated their errors and misrepresentations. But as the same passions which inflamed parties in that age have descended to their posterity; as almost every event in Mary's reign has become the object of doubt or of dispute; the eager spirit of controversy soon discovered, that without some evidence more authentic and more impartial than that of historians, none of the points in question could be decided with certainty. Records have therefore been searched, original papers have been produced, and public archieves, as well as the repositories of private men, have been ransacked by the zeal and curiosity of writers of different parties. The attention of Cecil to collect whatever related to that period, in which he acted so conspicuous a part, hath provided such an immense store of original papers for illustrating this part of the English and Scottish history, as are almost sufficient to satisfy the utmost avidity of an antiquarian. Sir Robert Cotton (whose library is now the property of the public) made great and valuable additions to Cecil's collection; and from this magazine, Digges, the compilers of the Cabbala, Anderson, Keith, Haynes, Forbes, have drawn most of the papers which they have printed. No history of Scotland, that merits any degree of

attention, has appeared since these collections were published. By consulting them I have been enabled, in many instances, to correct the inaccuracies, of former historians, to avoid their mistakes, and to detect their misrepresentations.

But many important papers have escaped the notice of those industrious collectors, and after all they have produced to light, much still remained in darkness, unobserved or unpublished. It was my duty to search for these, and I found this unpleasant task attended with considerable utility.

The library of the honourable faculty of advocates at Edinburgh contains not only a large collection of original papers relating to the affairs of Scotland, but copies of others no less curious, which have been preserved by Sir Robert Cotton, or are extant in the public offices in England. Of all these the curators of that library were pleased to allow me the perusal.

Though the British musæum be not yet open to the public, Dr. Birch, whose obliging disposition is well known, procured me access to that noble collection, which is worthy the magnificence of a great and polished nation.

That vast and curious collection of papers relating to the reign of Elizabeth which was made by Dr. Forbes, and of which he published only two volumes, having been purchased since his death, by the Lord Viscount Roy-

ston, his Lordship was so good as to allow me the use of fourteen volumes in quarto, containing that part of them which is connected with my subject.

Sir Alexander Dick communicated to me a very valuable collection of original papers in two large volumes. They relate chiefly to the reign of James. Many of them are marked with Archbishop Spotswood's hand; and it appears from several passages in his history that he had perused them with great attention.

Mr. Calderwood, an eminent presbyterian clergyman of the last century, compiled an history of Scotland from the beginning of the reign of James V. to the death of James VI. in six large volumes; wherein he has inserted many papers of consequence which are no where else to be found. A copy of this history, which still remains in manuscript, in the possession of the church of Scotland, was put into my hands by my worthy friend, the reverend Mr. George Wishart, principal clerk of the church.

Sir David Dalrymple not only communicated to me the papers which he has collected relating to Gowrie's conspiracy; but by explaining to me his sentiments with regard to that problematical passage in the Scottish history, has enabled me to place that transaction in a light which dispels much of the darkness and confusion in which it has been hitherto involved.

Mr. Goodall, though he knew my sentiments with regard to the conduct and character of Queen Mary to be extremely different from his own, communicated to me a volume of manuscripts in his possession which contains a great number of valuable papers copied from the originals in the Cottonian library and paper office, by the late reverend Mr. Crawford, regius professor of church history in the university of Edinburgh. I likewise received from him the original register of letters kept by the Regent Lennox during his administration.

I have consulted all these papers as far as I thought they could be of any use towards illustrating that period of which I write the history. With what success I have employed them to confirm what was already known, to ascertain what was dubious, or to determine what was controverted, the public must judge.

I might easily have drawn from the different repositories to which I had access as many papers as would have rendered my appendix equal in size to the most bulky collection of my predecessors. But I have satisfied myself with publishing a few of the most curious among them, to which I found it necessary to appeal as vouchers for my own veracity. None of these, as far as I can recollect, ever appeared in any former collection.

I have added to the appendix a Critical Dissertation concerning the murder of King

Henry, and the genuineness of the Queen's letters to Bothwell. *The facts and observations which relate to Mary's letters, I owe to my friend Mr. John Davidson, one of the clerks to the signet, who hath examined this point with his usual acuteness and industry.*

THE

HISTORY

OF

SCOTLAND.

BOOK FIRST.

CONTENTS.

THE origin of the SCOTS. The peculiar obscurity of their history. Four remarkable æras. A review of the national history from the death of Alexander III. to the accession of Mary. General causes which limited the power of a feudal monarch. Peculiar force of the Scottish aristocracy. Its causes. Efforts to extend the royal authority. James I. James II. James III. James IV. James V. His death. Extraordinary influence of the Scottish kings in parliament. Extreme insignificancy of public statutes. State of Europe at the beginning of the 16th century. Francis I. Charles V. Their characters. Henry VIII. His plan of conduct in the affairs of Scotland.

THE first ages of the Scottish history are dark and fabulous. Nations, as well as men, arrive at maturity by degrees; and the events which happen during their infancy or early youth, cannot be recollected, and deserve not to be remembered. The gross ignorance which anciently covered all the North of Europe, the continual migrations of its inhabi-

tants, and the frequent and destructive revolutions which these occasioned, render it impossible to give any authentic account of the origin of the different kingdoms now eſtabliſhed there. Every thing beyond that ſhort period to which well attested annals reach, is obſcure; an immenſe ſpace is left for invention to occupy; each nation, with a vanity inſeparable from human nature, hath filled that void with events calculated to display its own antiquity and luſtre. An Hiſtory, which ought to record truth and to teach wiſdom, often ſets out with retailing fictions and abſurdities.

The Scots carry their pretenſions to antiquity as high as any of their neighbours. Relying upon uncertain legends, and the traditions of their bards, ſtill more uncertain, they reckon up a ſeries of kings ſeveral ages before the birth of Chriſt, and give a particular detail of the occurrences which happened in their reigns. But with regard to the Scots, as well as the other northern nations, we receive the earlieſt accounts on which we can depend, not from their own, but from the Roman authors. When the Romans under Agricola, [A. D. 81.] firſt carried their arms into the northern parts of Britain, they found it poſſeſſed by the Caledonians, a fierce and warlike people; and having repulſed, rather than conquered them, they erected a ſtrong wall between the friths of Forth and Clyde, and there fixed the bounda-

ries of their empire. Adrian, on account of the difficulty of defending such a distant frontier, contracted the limits of the Roman province in Britain, [A.D. 121.] by building a second wall, which ran between Newcastle and Carlisle. The ambition of succeeding Emperors endeavoured to recover what Adrian had abandoned; and the country between the two walls was alternately under the dominion of the Romans and the Caledonians. About the beginning of the fifth century, the inroads of the Goths and other Barbarians obliged the Romans, in order to defend the centre of their empire, to recal those legions which guarded the frontier provinces; and at that time they quitted all their conquests in Britain.

A.D. 421.] Their long residence in the island had polished, in some degree, the rude inhabitants, and the Britons were indebted to their intercourse with the Romans, for the art of writing, and the use of numbers, without which it is impossible long to preserve the memory of past events.

North Britain was, by their retreat, left under the dominion of the Scots and Picts. The former, who are not mentioned by any Roman author before the end of the fourth century, were probably a colony of the Celtæ or Gauls; their affinity to whom appears from their language, their manners, and religious rites; circumstances more decisive, with regard to the origin of nations, than

either fabulous traditions, or the tales of ill-informed and credulous annalists. The Scots, if we may believe the common accounts, settled at first in Ireland; and, extending themselves by degrees, landed at last on the coast opposite to that island, and fixed their habitations there. Fierce and bloody wars were, during several ages, carried on between them and the Picts. At length, Kenneth II. the sixty-ninth king of the Scots (according to their own fabulous authors) obtained a complete victory over the Picts, [A. D. 838.] and united under one monarchy the whole country, from the wall of Adrian to the northern ocean: and his kingdom became known by its present name, which it derived from a people at first settled there as strangers, and remained long obscure and inconsiderable.

From this period, the history of Scotland would merit some attention, were it accompanied with any certainty. But, as our remote antiquities are involved in the same darkness with those of other nations, a calamity peculiar to ourselves has thrown almost an equal obscurity over our more recent transactions. This was occasioned by the malicious policy of Edward I. of England. Towards the end of the thirteenth century, this monarch called in question the independency of Scotland; pretending that that kingdom was held as a fief of the crown of

England, and subjected to all the conditions of a feudal tenure. In order to establish his claim, he seized the public archives, he ransacked churches and monasteries, and getting possession, by force or fraud, of many historical monuments, that tended to prove the antiquity or freedom of the kingdom, he carried some of them into England, and commanded the rest to be burned*. An universal oblivion of past transactions might have been the effect of this fatal event, but some imperfect chronicles had escaped the rage of Edward; foreign writers had recorded some important facts relating to Scotland; and the traditions concerning recent occurrences were fresh and worthy of credit. These broken fragments, John de Fordun, who lived in the fourteenth century, collected with a pious industry, and from them picked out materials, which he formed into a regular history. His work was received by his countrymen with applause; and as no recourse could be had to more ancient records, it supplied the place of the authentic annals of the kingdom. It was copied in many monasteries, and the thread of the narrative was, by different monks, continued through the subsequent reigns. In the beginning of the sixteenth century, John Major and Hector Boethius published their histo-

* Innes, Essay 552.

ries of Scotland, the former a succinct and dry writer, the latter a copious and florid one, and both equally credulous. Not many years after, Buchanan undertook the same work; and if his accuracy and impartiality had been, in any degree, equal to the elegance of his taste, and to the purity and vigour of his style, his history might be placed on a level with the most admired compositions of the ancients. But, instead of rejecting the improbable tales of chronicle writers, he was at the utmost pains to adorn them; and hath clothed, with all the beauties and graces of fiction, those legends, which formerly had only its wildness and extravagance.

The history of Scotland may properly be divided into four periods. The first reaches from the origin of the monarchy, to the reign of Kenneth II. The second, from Kenneth's conquest of the Picts, to the death of Alexander III. The third extends to the death of James V. The last, from thence to the accession of James VI. to the crown of England.

The first period is the region of pure fable and conjecture, and ought to be totally neglected, or be abandoned to the industry and credulity of antiquaries. Truth begins to dawn in the second period, with a light, feeble at first, but gradually increasing; and the events which then happened

may be slightly touched, but merit no particular or laborious industry. In the third period, the history of Scotland, chiefly by means of records preserved in England, becomes more authentic: not only are events related, but their causes and effects explained; the characters of the actors are displayed; the manners of the age described; the revolutions in the constitution pointed out. And here every Scotsman should begin, not only to read, but to study the history of his country. During the fourth period, the affairs of Scotland were so mingled with those of other nations, its situation in the political state of Europe was so important, its influence on the operations of the neighbouring kingdoms was so visible, that its history becomes an object of attention to foreigners; and without some knowledge of the various and extraordinary revolutions which happened there, they cannot form a just notion either of the most illustrious events, or of the character of the most distinguished personages in the sixteenth century.

The following history is confined to the last of those periods. To give a view of the political state of the kingdom, during that which immediately preceded it, is the design of this preliminary Book. The imperfect knowledge which strangers have of the affairs of Scotland, and the prejudices Scotsmen themselves have imbibed with regard

to the various revolutions in the government of their country, rendered such an introduction equally necessary to both.

The period, from the death of Alexander III. to the death of James V. contains upwards of two centuries and an half, from the year 1286, to the year 1542.

It opens with the famous controversy concerning the independency of Scotland, before the union of the two kingdoms. This was a question of much importance. If the one crown had been considered not as imperial and independent, but as feudatory to the other, a treaty of union could not have been concluded on equal terms, and every advantage which the dependent kingdom procured, must have been esteemed the concession of a sovereign to his vassal. Accordingly, about the beginning of the present century, and while a treaty of union between the two kingdoms was on foot, this controversy was agitated with all the heat which national animosities naturally inspire. What was then a subject of serious concern, the union of the two kingdoms hath rendered matter of mere curiosity. But though the objects which at that time warmed and interested both nations exist no longer, a question which appeared so momentous to our ancestors cannot be altogether indifferent or uninstructive to us.

Some of the northern counties of England were early in the hands of the Scottish Kings, who, as far back as the feudal customs can be traced, held these possessions of the Kings of England, and did homage to them on that account. This homage, due only for the territories which they held in England, was in no wise derogatory from the royal dignity. Nothing is more suitable to feudal ideas, than that the same person should be both a lord and a vassal, independent in one capacity, and dependent in another*. The crown of England was without doubt imperial and independent, though the princes who wore it were, for many ages, the vassals of the kings of France; and in consequence of their possessions in that kingdom, bound to perform all the services which a feudal sovereign has a title to ex-

* A very singular proof of this occurs in the French history. Arpin sold the viscompte of the city of Bourges to Philip I. who did homage to the count of Sancerre for a part of these lands, which held of that nobleman, A. D. 1100. I believe that no example of a king's doing homage to one of his own subjects is to be met with in the histories either of England or Scotland. Philip le Bell abolished this practice in France, A. D. 1302. Henaut. Abrege Chron. Somewhat similar to this, is a charter of the Abbot of Melross, A.D. 1535. constituting James V. the bailiff or steward of that abbey, vesting in him all the powers which pertained to that office, and requiring him to be answerable to the Abbot for his exercise of the same. Archiv. publ. Edin.

act. The same was the condition of the monarchs of Scotland, free and independent as kings, but, as possessing English territories, vassals to the King of England. The English monarchs, content with their legal and uncontroverted rights, were neither capable, nor had any thoughts of usurping more. England, when conquered by the Saxons, being divided by them into many small kingdoms, was in no condition to extend its dominion over Scotland, united at that time under one monarch. And though these petty principalities were gradually formed into one kingdom, the reigning princes exposed to continual invasions of the Danes, and often subjected to the yoke of these formidable pirates, seldom turned their arms towards Scotland, and were utterly incapable of establishing new rights in that country. The first kings of the Norman race, busied with introducing their own laws and manners into the kingdom which they had conquered, or with maintaining themselves on the throne which some of them possessed by a very dubious title, were as little anxious to acquire new authority, or to form new pretensions in Scotland. An unexpected calamity that befel one of the Scottish kings first encouraged the English to think of bringing his kingdom under dependence. William*, king

* Sirnamed the Lion.

of Scotland, being taken prisoner at Alnwick, Henry II. as the price of his liberty, not only extorted from him an exorbitant ransom, and a promise to surrender the places of greatest strength in his dominions, but compelled him to do homage for his whole kingdom. Richard I. a generous prince, solemnly renounced this claim of homage, and absolved William from the hard conditions which Henry had imposed. Upon the death of Alexander III. near a century after, Edward I. availing himself of the situation of affairs in Scotland, acquired an influence in that kingdom which no English monarch before him ever possessed; and imitating the interested policy of Henry, rather than the magnanimity of Richard, revived the claim of sovereignty to which the former had pretended.

Margaret of Norway, grand-daughter of Alexander, and heir to his crown, did not long survive him. The right of succession belonged to the descendants of David, Earl of Huntington, third son of David I. Among these, Robert Bruce, and John Baliol, two illustrious competitors for the crown, appeared. Bruce was the son of Isabel, Earl David's second daughter; Baliol, the grandson of Margaret, the eldest daughter. According to the rules of succession which are now established, the right of Baliol was preferable, and notwithstanding Bruce's plea of

being nearer in blood to Earl David, Baliol's claim, as the representative of his mother and grand-mother, would be deemed incontestible. But, in that age, the order of succession was not ascertained with the same precision. The question appeared to be no less intricate than it was important. And though the prejudices of the people, and perhaps the laws of the kingdom, favoured Bruce, each of the rivals were supported by a powerful faction. Arms alone, it was feared, must terminate a dispute too weighty for the laws to decide. But, in order to avoid the miseries of a civil war, Edward was chosen umpire, and both parties agreed to acquiesce in his decree. This had well nigh proved fatal to the independence of Scotland; and the nation, by its eagerness to guard against a civil war, was not only exposed to that calamity, but almost subjected to a foreign yoke. Edward was artful, brave, enterprising, and commanded a powerful and martial people, at peace with the whole world. The anarchy which prevailed in Scotland, and the ambition of competitors ready to sacrifice their country in order to obtain even a dependent crown, invited him first to seize, and then to subject the kingdom. The authority of an umpire, which had been unwarily bestowed upon him, and from which the Scots dreaded no serious consequences, enabled

him to execute his schemes with the greater facility. Under pretext of examining the question with the utmost solemnity, he summoned all the Scottish barons to Norham; and having gained some, and intimidated others, he prevailed on all who were present, not excepting Bruce and Baliol, the competitors, to acknowledge Scotland a fief of the English crown, and to swear fealty to him as their *sovereign* or *liege lord*.—This step led to another still more important. As it was vain to pronounce a sentence which he had not power to execute, Edward demanded possession of the kingdom, that he might be able to deliver it to him whose right should be found preferable. And such was the pusillanimity of the nobles, and the impatient ambition of the competitors, that both assented to this strange demand; and Gilbert de Umfraville, Earl of Angus, was the only man who refused to surrender the castles in his custody to the enemy of his country. Edward finding Baliol the most obsequious and the least formidable of the two competitors, soon after gave judgment in his favour. Baliol once more professed himself the vassal of England, and submitted to every condition which the sovereign whom he had now acknowledged was pleased to prescribe.

Edward having thus placed a creature of his own upon the throne of Scotland, and

compelled the nobles to renounce the ancient liberties and independence of their country, had reason to conclude that his dominion was now fully established. But he began too soon to assume the master; his new vassals, fierce and independent, bore with impatience a yoke to which they were not accustomed. Provoked by his haughtiness, even the passive spirit of Baliol began to mutiny. But Edward, who had no longer use for such a pageant king, forced him to resign the crown, and openly attempted to seize it as fallen to himself, by the rebellion of his vassal.—At that critical period arose Sir William Wallace, a hero, to whom the fond admiration of his countrymen hath ascribed many fabulous acts of prowess, though his real valour, as well as integrity and wisdom, is such as needs not the heightenings of fiction. He, almost single, ventured to take arms in defence of the kingdom, and his boldness revived the spirit of his countrymen. At last, Robert Bruce, the grandson of him who stood in competition with Baliol, appeared to assert his own rights, and to vindicate the honour of his country. The nobles, ashamed of their former baseness, and enraged at the many indignities offered to the nation, crowded to his standard In order to crush him at once, the English monarch entered Scotland at the head of a mighty army. Many battles were fought, and the Scots,

though often vanquished, were not subdued. The ardent zeal with which the nobles contended for the independency of the kingdom, the prudent valour of Bruce, and, above all, a national enthusiasm inspired by such a cause, baffled the repeated efforts of Edward, and counterbalanced all the advantages which he derived from the number and wealth of his subjects. And though the war continued with little intermission upwards of seventy years, Bruce and his posterity kept possession of the throne of Scotland, and ruled with an authority not inferior to that of its former monarchs.

But while the sword, the ultimate judge of all disputes between contending nations, was employed to terminate this controversy, neither Edward nor the Scots seemed to distrust the justice of their cause; and both appealed to history and records, and from these produced, in their own favour, such evidence as they pretended to be unanswerable. The letters and memorials addressed by each party to the Pope, who was then reverenced as the common father, and often appealed to as the common judge of all Christian princes, are still extant. The fabulous tales of early British history; the partial testimony of the ignorant chronicles; supposititious treaties and charters; are the proofs on which Edward founded his title to the sovereignty of Scotland; and the homage done by the Scottish

monarchs for their lands in England, is preposterously supposed to imply the subjection of their whole kingdom*. Ill founded, however, as their right was, the English did not fail to revive it, in all the subsequent quarrels between the two kingdoms; while the Scots disclaimed it with the utmost indignation. To this we must impute the fierce and implacable hatred to each other, which long inflamed both. Their national antipathies were excited, not only by the usual circumstances of frequent hostilities, and reciprocal injuries; but the English considered the Scots as vassals who had presumed to rebel; and the Scots, in their turn, regarded the English as usurpers who aimed at enslaving their country.

1306.] At the time when Robert Bruce began his reign in Scotland, the same form of government was established in all the kingdoms of Europe. And the surprising similarity in their constitution and laws, demonstrates that the nations which overturned the Roman empire, and erected these kingdoms, though divided into different tribes, and distinguished by different names, were originally the same people. When we take a veiw of the feudal system of laws and policy, that stupendous and singular fabric erected by them; the first object that strikes us is

* Anderson's Historical Essay concerning the Independency, &c.

the King. And when we are told that he is the sole proprietor of all the lands within his dominions, that all his subjects derive their possessions from him, and in return consecrate their lives to his service; when we hear that all marks of distinction, and titles of dignity, flow from him as the only fountain of honour; when we behold the most potent peers, on their bended knees, and with folded hands, swearing fealty at his feet, and acknowledging him to be their *sovereign* and their *liege lord;* we are apt to pronounce him a powerful, nay an absolute monarch. No conclusion, however, would be more rash, or worse founded. The genius of the feudal government was purely aristocratical. With all the ensigns of royalty, and with many appearances of despotic power, a feudal king was the most limited of all princes.

Before they sallied out of their own habitations to conquer the world, many of the northern nations seem not to have been subject to the government of kings*; and even where monarchical government was eſtabliſhed, the prince possessed but little authority. A general, rather than a king, his military command was extensive, his civil jurisdiction almost nothing†. The army which he led was not composed of soldiers, who could be compelled to serve, but of such as voluntarily followed his standard‡. These conquered not for their leader, but for

* Cæs. lib. vi. c. 23. † Tacit. de Mor. Germ. c. 7. 11.
‡ Cæs. lib. vi. c. 23.

themselves; and being free in their own country, renounced not their liberty when they acquired new settlements. They did not exterminate the ancient inhabitants of the countries which they subdued; but seizing the greater part of their lands, they took their persons under protection. The difficulty of maintaining a new conquest, as well as the danger of being attacked by new invaders, rendering it necessary to be always in a posture of defence, the form of government which they established was altogether military, and nearly resembled that to which they had been accustomed in their native country. Their general still continued to be the head of the colony; part of the conquered lands were allotted to him; the remainder, under the name of *beneficia*, or *fiefs*, was divided amongst his principal officers. As the common safety required that these officers should, upon all occasions, be ready to appear in arms for the common defence, and should continue obedient to their general, they bound themselves to take the field, when called, and to serve him with a number of men, in proportion to the extent of their territory. These great officers again parcelled out their lands among their followers, and annexed the same condition to the grant. A feudal kingdom was properly the encampment of a great army; military ideas predominated, military subordination was established, and the possession of land was the pay

which soldiers received for their personal service. In consequence of these notions, the possession of land was granted during pleasure only, and kings were elective. In other words, an officer, disagreeable to his general, was deprived of his pay, and the person who was most capable of conducting an army, was chosen to command it. Such were the first rudiments, or infancy of feudal government.

But long before the beginning of the 14th century, the feudal system had undergone many changes, of which the following were the most considerable.—Kings, formerly elective, were then hereditary; and fiefs, granted at first during pleasure, descended from father to son, and were become perpetual. These changes, not less advantageous to the nobles than to the prince, made no alteration in the aristocratical spirit of the feudal constitution. The king, who, at a distance, seemed to be invested with majesty and power, appears, on a nearer view, to possess none of these advantages, which bestow on monarchs their grandeur and authority. His revenues were scanty, he had not a standing army, and he enjoyed no proper jurisdiction.

At a time when pomp and splendour were unknown, even in the palaces of kings; when the officers of the crown received little salary besides the fees and perquisites of their office; when embassies to foreign courts were rare; when armies were composed of soldiers who

served without pay; it was not necessary that a king should possess a great revenue; nor did the condition of Europe, in those ages, allow its princes to be opulent. Commerce made little progress in the kingdoms where the feudal government was established. Institutions, which had no other object but to inspire a martial spirit, to train men up to be soldiers, and to make arms the only honourable profession, naturally discouraged the commercial arts. The revenues arising from the taxes imposed on the different branches of commerce, were by consequence inconsiderable, and the prince's treasury received little supply from a source which, among a trading people, flows with such abundance, and is almost inexhaustible. A fixed tax was not levied even on land; such a burden would have appeared intolerable to men who received their estates as the reward of their valour, and who considered their service in the field as a full retribution for what they possessed. The king's *demesnes*, or the portion of land which he still retained in his own hands unalienated, furnished subsistence to his court, and defrayed the ordinary expence of government*. The only stated taxes which the feudal law obliged vassals to pay to the king, or to those of whom they held their lands, were three; one when his eldest son was made a knight; another when his eldest daughter was married; and the third in order to

* Craig. de Feud. lib. 1. Dieg. 14. Du Cange Gloss. voc. Dominicum.

ransom him, if he should happen to be taken a prisoner. Besides these, the king received the feudal casualties of the ward, marriage, &c. of his own vassals. And, on some extraordinary occasions, his subjects granted him an aid, which they distinguished by the name of a *benevolence*, in order to declare that he received it not in consequence of any right, but as a voluntary gift, flowing from their good will*. All these added together, produced a revenue scanty and precarious, which, far from enabling the king to attempt any thing that could excite the jealousy or fear of the nobles, kept him in continual indigence, anxiety, and dependence.

Nor could the king supply the defect of his revenues by the terror of his arms. Mercenary troops and standing armies were unknown as long as the feudal government subsisted in vigour. Europe was peopled with soldiers. The vassals of the king, and the sub-vassals of the barons, were all obliged to carry arms. And while the poverty of princes prevented them from fortifying their frontier towns, while a campaign continued but a few weeks, and while a fierce and impetuous courage was impatient to bring every quarrel to the decision of a battle, an army without pay, and with little discipline, was sufficient for all the purposes both of the security and of the glory of a nation. Such an army, however, far from being an en-

* Du Cange voc. Auxilium.

gine at the king's disposal, was often no less formidable to him than to his enemies. The more warlike any people were, the more independent they became; and the same persons being both soldiers and subjects, civil privileges and immunities were the consequence of their victories, and the reward of their martial exploits. Conquerors, whom mercenary armies, under our present forms of government, often render the tyrants of their own people, as well as the scourges of mankind, were commonly, under the feudal constitution, the most indulgent of all princes to their subjects, because they stood most in need of their assistance. A prince, whom even war and victories did not render the master of his own army, possessed no shadow of military power during times of peace. His disbanded soldiers mingled with his other subjects; not a single man received pay from him; many ages elapsed before a guard was appointed to defend his person; and destitute of that great instrument of dominion, a standing army, the authority of the king continued always feeble, and was often contemptible.

Nor were these the only circumstances which contributed towards depressing the regal power. By the feudal system, the king's judicial authority was extremely circumscribed. At first, princes seem to have been the supreme judges of their people, and in person heard and determined all controversies among them. The

multiplicity of causes soon made it necessary to appoint judges, who, in the king's name, decided matters that belonged to the royal jurisdiction. But the barbarians, who over-ran Europe, having destroyed most of the great cities, and the countries which they seized being cantoned out among powerful barons, who were blindly followed by numerous vassals, whom, in return, they were bound to protect from every injury; the administration of justice was greatly interrupted, and the execution of any legal sentence became almost impracticable. Theft, rapine, murder, and disorder of all kinds, prevailed in every kingdom of Europe, to a degree almost incredible, and scarce compatible with the subsistence of civil society. Every offender sheltered himself under the protection of some powerful chieftain, who screened him from the pursuits of justice. To apprehend, and to punish a criminal, often required the union and effort of half a kingdom.* In order to remedy these evils, many

* A remarkable instance of this occurs in the following history, so late as the year 1561. Mary having appointed a court of justice to be held on the borders, the inhabitants of no less than eleven counties were summoned to guard the person who was to act as judge, and to enable him to enforce his decisions. The words of a proclamation, which affords such a convincing proof of the feebleness of the feudal government, deserve our notice.—"And because it is necessary for the execution of her highness' commandments and service, that her justice be well accompanied, and her authority sufficiently fortified, by the concurrence of a good power of

persons of distinction were intrusted with the administration of justice within their own territories. But what we may presume was, at first, only a temporary grant, or a personal privilege, the encroaching spirit of the nobles soon converted into a right, and rendered hereditary. The lands of some were erected into *baronies*, those of others into *regalities*. The jurisdiction of the former was extensive, that of the latter, as the name implies, royal, and almost unbounded. All causes, whether civil or criminal, were tried by judges, whom the lord of the regality appointed; and if the king's court called any person within his territory before them, the lord of regality might put a stop to their proceedings, and by the privileges of *repledging*, remove the cause to his own court, and even punish his vassal, if he submitted to a foreign jurisdiction *. Thus

her faithful subjects—Therefore commands and charges all and sundry earls, lords, barons, freeholders, landed men, and other gentlemen, dwelling within the said counties, that they, and every one of them, with their kin, friends, servants, and houshold men, well bodin in the feir of war, in the most substantious manner (i. e. completely armed and provided) and with twenty days victuals, to meet and to pass toward him to the borough of Jedburgh, and there to remain during the said space of twenty days, and to receive such directions and commands as shall be given by him to them, in our sovereign lady's name, for quietness of the country; and to put the same in execution, under the pain of losing their life, lands, and goods." Keith's Hist. of Scotland, 198.

* Craig, lib. iii. Deig. 7.

almost every question in which any person, who resided on the lands of the nobles, was interested, being determined by judges appointed by the nobles themselves, their vassals were scarce sensible of being, in any degree, subject to the crown. A feudal kingdom was split into many small principalities, almost independent, and held together by a feeble, and commonly an imperceptible bond of union. And the king was not only stripped of the authority annexed to the person of a supreme judge, but his revenue suffered no small diminution, by the loss of those pecuniary emoluments, which were, in that age, due to the person who administered justice.

In the same proportion that the king sunk in power, the nobles rose towards independence. Not satisfied with having obtained a hereditary right to their fiefs, which they formerly held during pleasure, their ambition aimed at something bolder, and by introducing *entails*, endeavoured, as far as human ingenuity and invention can reach that end, to render their possessions unalienable and everlasting. As they had full power to add to the inheritance transmitted to them from their ancestors, but none to diminish it; time alone, by means of marriages, legacies, and other accidents, brought continual accessions of wealth and of dignity; a great family, like a river, became considerable from the length of its course, and as it rolled on, new honours and new pro-

perty flowed successively into it. Whatever influence is derived from titles of honour, the feudal nobles likewise possessed in an ample manner. These marks of distinction are, in their own nature, either official or personal, and being annexed to a particular charge, or bestowed by the admiration of mankind upon illustrious characters, ought to be appropriated to these. But the son, however unworthy, could not bear to be stripped of that appellation by which his father had been distinguished. His presumption claimed, what his virtue did not merit; titles of honour became hereditary, and added new lustre to nobles already in possession of too much power. Something more audacious and more extravagant still remained. The supreme direction of all affairs, both civil and military, being committed to the great officers of the crown, the fame and safety of princes, as well as of their people, depended upon the fidelity and abilities of these officers. But such was the preposterous ambition of the nobles, and so successful even their wildest attempts to aggrandize themselves, that in all the kingdoms where the feudal institutions prevailed, most of these offices were annexed to great families, and held, like fiefs, by hereditary right. A person, whose undutiful behaviour rendered him odious to his prince, or whose incapacity exposed him to the contempt of the people, often held a place of power and trust of the greatest im-

portance to both. In Scotland, the offices of Lord Justice General, Great Chamberlain, High Stewart, High Constable, Earl Marischal, and High Admiral, were all hereditary; and in many counties, the office of Sheriff was held in the same manner.

Nobles, whose property was so extensive, and whose power so great, could not fail of being turbulent and formidable. Nor did they want instruments for executing their boldest designs. That portion of their lands which they parcelled out among their followers, supplied them with a numerous band of faithful and determined vassals; while that which they retained in their own hands, enabled them to live with a princely splendour. The great hall of an ambitious baron was often more crowded than the court of his sovereign. The strong castles in which they resided, afforded a secure retreat to the discontented and seditious. A great part of their revenue was spent upon multitudes of indigent, but bold retainers. And if at any time they left their retreat, to appear in the court of their sovereign, they were accompanied, even in times of peace, with a vast train of armed followers. The usual retinue of William the sixth Earl of Douglas consisted of two thousand horse. Those of the other nobles were magnificent and formidable in proportion. Impatient of subordination, and forgetting their proper rank, these potent and haughty barons were the ri-

vals, rather than the subjects of their prince. They often despised his orders, insulted his person, and wrested from him his crown. And the history of Europe during several ages, contains little else but the account of the wars and revolutions occasioned by their exorbitant ambition.

But, if the authority of the barons far exceeded its proper bounds in the other nations of Europe, we may affirm that the balance which ought to be preserved between a king and his nobles was entirely lost in Scotland. The Scottish nobles enjoyed, in common with those of other nations, all the means for extending their authority which arise from the aristocratical genius of the feudal government. Besides these, they possessed advantages peculiar to themselves; the accidental sources of their power were considerable; and singular circumstances concurred with the spirit of the constitution to aggrandize them. To enumerate the most remarkable of these, will serve both to explain the political state of the kingdom, and to illustrate many important occurrences in the period now under our review.

I. The nature of their country was one cause of the power and independence of the Scottish nobles. Level and open countries are formed for servitude. The authority of the supreme magistrate reaches with ease to the most distant corners; and when nature has erected no barrier, and affords no retreat, the

guilty or obnoxious are soon detected and punished. Mountains, and fens, and rivers, set bounds to despotic power, and amidst these, is the natural seat of freedom and independence. In such places did the Scottish nobles usually fix their residence. By retiring to his own castle, a mutinous baron could defy the power of his sovereign; it being impracticable to lead an army through a barren country, to places almost inaccessible to a single man. The same causes which checked the progress of the Roman arms, and rendered all the efforts of Edward I. abortive, often protected the Scottish nobles from the vengeance of their prince; and they owed their personal independence, to those very mountains and marshes which saved their country from being conquered.

II. The want of great cities in Scotland contributed not a little to increase the power of the nobles, and to weaken that of the prince. Wherever numbers of men assemble together, order must be established, and a regular form of government instituted, the authority of the magistrate must be recognized, and his decisions meet with prompt and full obedience. Laws and subordination take rise in cities; and where there are few cities, as in Poland, or none, as in Tartary, there are few or no traces of any sort of police. But under the feudal governments, commerce, the chief means of assembling mankind, was neglected; the

nobles, in order to strengthen their influence over their vassals, resided among them, and seldom appeared at court, where they found a superior, or dwelt in cities, where they met with equals. In Scotland, the rich counties in the south lying open to the English, no town situated there could rise to be great or populous amidst continual inroads and alarms; the residence of our monarchs was not fixed to any particular place; many parts of the country were barren and uncultivated; and in consequence of these peculiar circumstances, added to the general causes flowing from the nature of the feudal institutions, the towns in Scotland were extremely few, and very inconsiderable. The vassal of every baron occupied a distinct portion of the kingdom, and unmingled with others, formed a separate and almost independent society. Instead of giving aid towards reducing to obedience their seditious chieftain, or any whom he took under his protection, they were all in arms for his defence, and obstructed the operations of justice to the utmost. The prince was obliged to connive at criminals, whom he could not reach; the nobles, conscious of this advantage, were not afraid to offend; and the difficulty of punishing almost insured them of impunity.

III. The division of the country into clans, had no small effect in rendering the nobles considerable. The nations which over-ran Europe, were originally divided into many small

tribes; and when they came to parcel out the lands which they had conquered, it was natural for every chieftain to bestow a portion, in the first place, upon those of his own tribe or family. These all held their lands of him; and as the safety of each individual depended on the general union, these small societies clung together, and were distinguished by some common appellation, either patronymical, or local, long before the introduction of sirnames, or *ensigns armorial.* But when these became common, the descendants and relations of every chieftain assumed the same name and arms with him; other vassals were proud to imitate their example, and by degrees they were communicated to all those who held of the same superior. Thus clanships were formed; and in a generation or two, that consanguinity which was, at first, in a great measure, imaginary, was believed to be real. An artificial union was converted into a natural one; men willingly followed a leader, whom they regarded both as the superior of their lands, and the chief of their blood, and served him not only with the fidelity of vassals, but with the affection of friends. In the other feudal kingdoms, we may observe such unions as we have described, imperfectly formed; but in Scotland, whether they were the production of chance, or the effect of policy, or introduced by the Irish colony above mentioned, and strengthened by care-

fully preserving their genealogies both genuine and fabulous, clanships were universal. Such a confederacy might be overcome, it could not be broken; and no change of manners, or of government, has been able, in some parts of the kingdom, to dissolve associations which are founded upon prejudices so natural to the human mind. How formidable were nobles at the head of followers, who, counting that cause just and honourable which their chief approved, were ever ready to take the field at his command, and to sacrifice their lives in defence of his person, or of his fame? Against such men, a king contended with great disadvantage; and that cold service which money purchases, or authority extorts, was not an equal match for ardour and zeal.

IV. The smallness of their number may be mentioned among the causes of the grandeur of the Scottish nobles. Our annals reach not back to the first division of property in the kingdom; but so far as we can trace the matter, the original possessions of the nobles seem to have been extensive. The ancient Thanes were the equals and the rivals of their prince. Many of the earls and barons, who succeeded them, were the masters of territories no less ample. France and England, countries wide and fertile, afforded settlements to a numerous and powerful nobility. Scotland, a kingdom neither extensive nor rich, could not contain many such overgrown proprietors. But the

power of an aristocracy always diminishes, in proportion to the increase of its numbers; feeble if divided among a multitude; irresistible if centered in a few. When nobles are numerous, their operations nearly resemble those of the people; they are roused by what they feel only, not by what they apprehend; and submit to many arbitrary and oppressive acts, before they take arms against their sovereign. A small body, on the contrary, is more sensible, and more impatient: quick in discerning, and prompt in repelling danger, all its motions are as sudden as those of the other are slow. Hence proceeded the extreme jealousy with which the Scottish nobles observed their monarchs, and the fierceness with which they opposed their encroachments. Even the virtue of a prince did not render them less vigilant, or less eager to defend their rights; and Robert Bruce, notwithstanding the splendour of his victories, and the glory of his name, was upon the point of experiencing the vigour of their resistance, no less than his unpopular descendant James III. Besides this, the near alliance of the great families, by frequent intermarriages, was the natural consequence of their small number. And as consanguinity was, in those ages, a powerful bond of union, all the kindred of a nobleman interested themselves in his quarrel, as a common cause, and every contest the king had, though with a single baron, soon drew upon him the arms of a whole confederacy.

V. Those natural connections both with their equals and with their inferiors, the Scottish nobles strengthened by a device, which, if not peculiar to themselves, was at least more frequent among them than in any other nation. Even in times of profound peace they formed associations, which, when made with their equals, were called *leagues of mutual defence*; and when with their inferiors, *bonds of manrent*. By the former, the contracting parties bound themselves mutually to assist each other, in all causes, and against all persons. By the latter, protection was stipulated on the one hand, and fidelity and personal service promised on the other*. Self-preservation, it is probable, forced men at first into these confederacies; and while disorder and rapine were universal, while government was unsettled, and the authority of laws little known or regarded, near neighbours found it necessary to unite in this manner for their security, and the weak were obliged to court the patronage of the strong. By degrees, these associations became so many alliances offensive and defensive against the throne; and as their obligation was held to be more sacred than any tie whatever, they gave much umbrage to our kings, and contributed not a little to the power and independence of the nobility. In the reign of James II. William the eighth Earl of Douglas entered into a league of this kind with the Earls of Crawfurd, Ross, Murray, Ormand, the Lords

* Act 30. Parl. 1424. Act. 43. Parl. 1555.

Hamilton, Balveny, &c. and so formidable was this combination to the king, that he stabbed Douglas with his own hand in order to dissolve it.

VI. The frequent wars between England and Scotland proved another cause of augmenting the power of the nobles. Nature has placed no barrier between the two kingdoms; a river, almost every where fordable, divides them towards the east; on the west they are separated by an imaginary line. The small revenues of our kings prevented them from fortifying, or placing garrisons in the towns on the frontier; nor would the jealousy of their subjects have permitted such a method of defence. The barons whose estates lay near the borders, considered themselves as bound in honour and interest to repel the enemy. The *wardenships* of the different *marches*, offices of great trust and dignity, were always bestowed on them. This gained them the leading of the warlike counties in the south; and their vassals, living in a state of perpetual hostility, or enjoying at best an insecure peace, became more inured to war than even the rest of their countrymen, and more willing to accompany their chieftain in his most hardy and dangerous enterprises. It was the valour, no less than the number of their followers, that rendered the Douglasses great. The nobles in the northern and midland counties were often dutiful and obsequious to the crown;

but our monarchs always found it impracticable to subdue the mutinous and ungovernable spirit of the borderers. In all our domestic quarrels, those who could draw to their side the inhabitants of the southern counties, were sure of victory; and conscious of this advantage, the lords who possessed authority there, were apt to forget the duty which they owed their sovereign, and to aspire beyond the rank of subjects.

VII. The calamities which befel our kings contributed more than any other cause to diminish the royal authority. Never was any race of monarchs so unfortunate as the Scottish. Of six successive princes, from Robert III. to James VI. no one died a natural death; and the minorities, during that time, were longer, and more frequent, than ever happened in any other kingdom. From Robert Bruce to James VI. we reckon ten princes; and seven of these were called to the throne while they were minors, and almost infants. Even the most regular and best established governments feel sensibly the pernicious effects of a minority, and either become languid and inactive, or are thrown into violent and unnatural convulsions. But under the imperfect and ill adjusted system of government in Scotland, these effects were still more fatal; and the fierce and mutinous spirit of the nobles, unrestrained by the authority of a king, scorned all subjection to the delegated jurisdiction of a regent, or

to the feeble commands of a minor. The royal authority was circumscribed within narrower limits than ever; the prerogatives of the crown, naturally inconsiderable, were reduced almost to nothing; and the aristocratical power gradually rose upon the ruins of the monarchical. Lest the personal power of a regent should enable him to act with too much vigour, the authority annexed to that office was sometimes rendered inconsiderable, by being divided; or, if a single regent was chosen, the greater nobles, and the heads of the more illustrious families, were seldom raised to that dignity. It was often conferred upon men who possessed little influence, and excited no jealousy. They, conscious of their own weakness, were obliged to overlook some irregularities, and to permit others; and in order to support their authority, which was destitute of real strength, they endeavoured to gain the most powerful and active barons, by granting them possessions and immunities, which raised them to still greater power. When the king himself came to assume the reins of government, he found his revenues wasted or alienated, the crown lands seized or given away, and the nobles so accustomed to independence, that after the struggles of a whole reign, he was seldom able to reduce them to the same state in which they had been at the beginning of his minority, or to wrest from them what they had usurped during that time. If we take a view of what

happened to each of our kings, who was so unfortunate as to be placed in this situation, the truth and importance of this observation will fully appear.

1329.] The minority of David II. the son of Robert Bruce, was disturbed by the pretensions of Edward Baliol, who, relying on the aid of England and on the support of some disaffected nobles among the Scots, invaded the kingdom. The success which at first attended his arms, obliged the young king to retire to France; and Baliol took possession of the throne. A small body of the nobles, however, continuing faithful to their exiled prince, drove Baliol out of Scotland; and after an absence of nine years, David returned from France, and took the government of the kingdom into his own hands. But nobles who were thus wasting their blood and treasure in defence of the crown, had a right to the undisturbed possession of their ancient privileges, and even some title to arrogate new ones. It seems to have been a maxim in that age, that every leader might claim as his own, the territory which his sword had won from the enemy. Great acquisitions were gained by the nobles in that way; and to these the gratitude and liberality of David added, by distributing among such as adhered to him the vast possessions which fell to the crown by the forfeiture of his enemies. The family of Douglas, which began to rise above the other nobles in the reign of his father,

augmented both its power and its property during his minority.

1405.] James I. was seized by the English, during the continuance of a truce, and ungenerously detained a prisoner almost nineteen years. During that period, the kingdom was governed, first by his uncle Robert Duke of Albany, and then by Murdo his son. Both these noblemen aspired to the crown; and their unnatural ambition, if we may believe most of our historians, not only cut short the days of Prince David, the king's elder brother, but prolonged the captivity of James. They flattered themselves, that they might step with less opposition into a throne, when almost vacant; and dreading the king's return as the extinction of their authority, and the end of their hopes, they carried on the negociations for obtaining his liberty with extreme remissness. At the same time, they neglected nothing that could either sooth or bribe the nobles to approve their scheme. They slackened the reins of government; they allowed the prerogative to be encroached upon; they suffered the most irregular acts of power, and even wanton instances of oppression, to pass with impunity; they dealt out the patrimony of the crown among those whose enmity they dreaded, or whose favour they had gained; and reduced the royal authority to a state of imbecility, from which succeeding monarchs laboured in vain to raise it.

1437.] During the minority of James II. the administration of affairs, and the custody of the king's person, were committed to Sir William Crighton, and Sir Alexander Livingston. Jealousy and discord were the effects of their conjunct authority; and each of them, in order to strengthen himself, bestowed new powers and privileges upon the great men whose aid he courted; while the young Earl of Douglas, encouraged by their divisions, erected a sort of independent principality within the kingdom; and forbidding his vassals to acknowledge any authority but his own, he created knights, appointed a privy council, named officers civil and military, assumed every ensign of royalty but the title of king, and appeared in public with a magnificence more than royal.

1460.] Eight persons were chosen to govern the kingdom during the minority of James III. Lord Boyd, however, by seizing the person of the young king, and by the ascendant which he acquired over him, soon engrossed the whole authority. He formed the ambitious project of raising his family to the same pitch of power and grandeur with those of the prime nobility; and he effected it. While intent on this, he relaxed the vigour of government; and the nobles became accustomed, once more, to anarchy and independence. The power which Boyd had been at so much pains to acquire, was of no long continuance; and the fall of his family, according to the fate of favourites, was

sudden and destructive; but upon its ruins the family of Hamilton rose, which soon attained the highest rank in the kingdom.

As the minority of James V. was longer, it was likewise more turbulent than those of the preceding kings. And the contending nobles, encouraged or protected either by the king of France, or of England, formed themselves into more regular factions, and disregarded more than ever the restraints of order and authority. The French had the advantage of seeing one devoted to their interest raised to be regent. This was the duke of Albany, a native of France, and grandson of James II. But Alexander Lord Home, the most eminent of all the Scottish Peers who survived the fatal battle of Flowden, thwarted all his measures during the first years of his administration; and the intrigues of the queen dowager, sister of Henry VIII. rendered the latter part of it no less feeble. Though supported by French auxiliaries, the nobles despised his authority; and regardless either of his threats or his entreaties, peremptorily refused, two several times, to enter England, to the borders of which kingdom he had led them. Provoked by these repeated instances of contempt, the regent abandoned his troublesome station, and retiring to France, preferred the tranquillity of a private life, to an office destitute of real authority. Upon his retreat, Douglas Earl of Angus became master of the king's person, and governed the king-

dom in his name. Many efforts were made to deprive him of his usurped authority. But the numerous vassals and friends of his family adhered to him, because he divided with them the power and emoluments of his office: the people reverenced and loved the name of Douglas: without the title of regent, he exercised a fuller and more absolute authority than any who had enjoyed that dignity; and the ancient but dangerous pre-eminence of the Douglasses seemed to be restored.

To these and to many other causes, omitted or unobserved by us, did the Scottish nobility owe that exorbitant and uncommon power, of which instances occur so frequently in our history. Nothing, however, demonstrates so fully the extent of their power, as the length of its duration. Many years after the declension of the feudal system in the other kingdoms of Europe, and when the arms or policy of princes had every where shaken or laid it in ruins, the foundations of that ancient fabric remained firm and untouched in Scotland.

The powers which the feudal institutions vested in the nobles, soon became intolerable to all the princes of Europe, who longed to possess something more than a nominal and precarious authority. Their impatience to obtain this precipitated Henry III. of England, Edward II. and some other weak princes, into rash and premature attempts against the privileges of the barons, in which they were

disappointed, or perished. Princes of greater abilities were content to mitigate evils which they could not cure; they sought occupation for the turbulent spirit of their nobles in frequent wars; and allowed their fierce courage to evaporate in foreign expeditions, which, if they brought no other advantage, secured at least domestic tranquillity. But time and accidents ripened the feudal governments for destruction. Towards the end of the 15th century, and beginning of the 16th, all the princes of Europe attacked, as if by concert, the power of their nobles. Men of genius then undertook with success, what their unskilful predecessors had attempted in vain. Louis XI. of France, the most profound and the most adventurous genius of that age, began, and, in a single reign, almost completed the scheme of their destruction. The sure, but concealed policy of Henry VII. of England, produced the same effect. The means, indeed, employed by these monarchs, were very different. The blow which Louis struck was sudden and fatal. The artifices of Henry resembled those slow poisons which waste the constitution, but become not mortal till some distant period. Nor did they produce consequences less opposite. Louis boldly added to the crown whatever he wrested from the nobles. Henry undermined his barons by encouraging them to sell their lands, which enriched the commons, and gave them a weight in the legislature unknown to their predeces-

sors. But while these great revolutions were carrying on in two kingdoms with which Scotland was intimately connected, no alteration happened there: the king neither extended his own prerogative, nor enabled the commons to encroach upon the aristocracy; the nobles not only retained their ancient privileges and possessions, but daily made new acquisitions.

This was not owing to the inattention of our princes, or to their want of ambition. They were abundantly sensible of the exorbitant power of the nobles, and extremly solicitous to humble them. They did not however possess means sufficient for accomplishing that end. The resources of our monarchs were few, and the progress which they made inconsiderable. But as the number of their followers, and the extent of their jurisdiction, were the two chief circumstances which rendered the nobles formidable; in order to counterbalance the one, and to restrain the other, all our kings had recourse to the same expedients.

I. Among nobles of a fierce courage, and of unpolished manners, surrounded with vassals bold and licentious, whom they were bound by interest and honour to protect, the causes of discord were many and unavoidable; and as the contending parties could seldom agree in acknowledging the authority of any common superior or judge, and their impatient spirit would seldom wait the slow decisions of justice, their quarrels were usually terminated

by the sword. The offended baron assembled his vassals, and wasted the lands, or shed the blood of his enemy. To forgive an injury was mean, to forbear revenge infamous or cowardly*. Hence quarrels were transmitted from father to son, and under the name of *Deadly Feuds*, subsisted for many generations, with unmitigated rancour. It was the interest of the crown to foment rather than to extinguish these; and by scattering or cherishing the seeds of discord among the nobles, that union which would have rendered the aristocracy invincible, and which must at once have annihilated the prero-

* The spirit of revenge was encouraged not only by the manners, but, what is more remarkable, by the laws of those ages. If any person thought the prosecution of an injury offered to his family too troublesome, or too dangerous, the Salique laws permitted him publicly to desist from demanding vengeance; but the same laws, in order to punish his cowardice and want of affection to his family, deprived him of the right of succession. Henaut. Abrege Chronol. p. 81. Among the Anglo-Saxons, we find a singular institution, distinguished by the name of SODALITIUM; a voluntary association, the object whereof was the personal security of those who joined in it, and which the feebleness of government at that time rendered necessary. Among other regulations, which are contained in one of these still extant, the following deserves notice: "If any associate shall either eat or drink with a person who has killed any member of the SODALITIUM, unless in the presence of the king, the bishop, or the count, and unless he can prove that he did not know the person, let him pay a great fine." Hicks' Dissert. Epistolar. apud Thesaur. Ling. Septentr. vol. i. p. 21.

gative, was effectually prevented. To the same cause, our kings were indebted for the success with which they sometimes attacked the most powerful chieftains. They employed private revenge to aid the impotence of public laws; and arming against the person who had incurred their displeasure those rival families which wished his fall, they rewarded their service by sharing among them the spoils of the vanquished. But this expedient, though it served to humble individuals, did not weaken the body of the nobles. Those who were now the instruments of their prince's vengeance, became, in a short time, the objects of his fear. Having acquired power and wealth by serving the crown, they, in their turn, set up for independence; and though there might be a fluctuation of power and of property, though old families fell, and new ones rose upon their ruins, the rights of the aristocracy remained entire, and its vigour unbroken.

II. As the administration of justice is one of the most powerful ties between a king and his subjects, all our monarchs were at the utmost pains to circumscribe the jurisdiction of the barons, and to extend that of the crown. The external forms of subordination natural to the feudal system, favoured this attempt. An appeal lay from the judges and courts of the barons to those of the king. The right, however, of judging in the first instance, belonged to the nobles, and they easily found

means to defeat the effect of appeals, as well as of many other feudal regulations. The royal jurisdiction was almost confined within the narrow limits of the king's demesnes, beyond which his judges claimed indeed much authority, but possessed next to none. Our kings were sensible of these limitations, and bore them with impatience. But it was impossible to overturn, in a moment, what was so deeply rooted, or to strip the nobles at once of privileges which they had held so long, and which were wrought almost into the frame of the feudal constitution. To accomplish this, however, was an object of uniform and anxious attention to all our princes. James I. led the way here, as well as in other instances, towards a more regular and perfect police. He made choice among the estates of parliament of a certain number of persons, whom he distinguished by the name of *Lords of Session*, and appointed them to hold courts for determining civil causes, three times in the year, and forty days at a time, in whatever place he pleased to name. Their jurisdiction extended to all matters which formerly came under the cognizance of the king's council, and being a committee of parliament, their decisions were final. James II. obtained a law annexing all regalities which should be forfeited to the crown, and declaring the right of jurisdiction to be unalienable for the future. James III. imposed severe penalties, upon those judges appointed by the barons,

whose decisions should be found on a review to be unjust; and by many other regulations endeavoured to extend the authority of his own court*. James IV. on pretence of remedying the inconveniences arising from the short terms of the court of session, appointed other judges called *Lords of Daily Council*. The *Session* was an ambulatory court, and met seldom; the daily council was fixed, and sat constantly at Edinburgh; and though not composed of members of parliament, the same powers which the lords of session enjoyed were vested in it. At last James V. erected a new court, which still subsists, and which he named the *College of Justice*, the judges or *Senators* of which were called *Lords of Council and Session*. This court not only exercised the same jurisdiction which formerly belonged to the session and daily council, but new rights were added. Privileges of great importance were granted to its members; its forms were prescribed, its terms fixed, and regularity, power and splendour conferred upon it. The persons constituted judges in all these different courts, had in many respects the advantage of those who presided in the courts of the barons; they were more eminent for their skill in law, their rules of proceeding were more uniform, and their decisions more consistent. Such judicatories became the objects of confidence and of veneration: men willingly submitted their

* Act 26. p. 1469. Act 94. p. 1493. Act 99. p. 1487.

property to their determination; and their encroachments on the jurisdictions of the nobles were popular, and for that reason successful. By devices of a similar nature, the jurisdiction of the nobles in criminal causes was restrained, and the authority of the court of *Justiciary* extended. The crown, in this particular, gaining insensibly upon the nobles, recovered more ample authority; and the king, whose jurisdiction once resembled that of a baron, rather than that of a sovereign*, came

* The most perfect idea of the feudal system of government may be attained by attending to the state of Germany, and to the history of France. In the former, the feudal institutions still subsist with great vigour; and though altogether abolished in the latter, the public records have been so carefully preserved, that the French lawyers and antiquaries have been enabled, with more certainty and precision than those of any other country in Europe, to trace its rise, its progress, and revolutions. In Germany, every principality may be considered as a fief, and all its great princes as vassals, holding of the emperor. They possess all the feudal privileges; their fiefs are perpetual; their jurisdiction within their own territories separate and extensive; and the great offices of the empire are all hereditary, and annexed to particular families. At the same time, the emperor retains many of the prerogatives of the feudal monarchs. Like them, his claims and pretensions are innumerable, and his power small; his jurisdiction within his own demesnes or hereditary countries is complete; beyond the bounds of these it is almost nothing: and so permanent are feudal principles, that although the feudal system be overturned in almost every particular state in Germany, and although its princes have all become absolute, the original feu-

more and more to be considered as the head of the community, and the supreme dispenser of justice to his people. These acquisitions of our kings, however, though comparatively great, were in reality inconsiderable; and notwithstanding all their efforts, the separate jurisdictions of the nobles remained, many of them, in great vigour; and their final abolition was reserved to a distant and more happy period.

But besides these methods of defending their prerogative, and humbling the aristocracy, which may be considered as common to all our princes, we shall find, by taking a review of their reigns, that almost every one of our kings,

dal constitution of the empire still remains, and ideas peculiar to that form of government direct all its operations, and determine the rights of all its princes. Our observations with regard to the limited jurisdiction of the king under the feudal governments, are greatly illustrated by what happened in France. The feebleness and dotage of the descendants of Charlemaigne encouraged the peers to usurp an independent jurisdiction. Nothing remained in the hands of the crown; all was seized by them. When Hugh Capet ascended the throne, A. D. 987, he kept possession of his private patrimony, the Compte of Paris, and all the jurisdiction which the kings his successors exercised for some time was within its territories. There were only four towns in France where he could establish GRANDS BAILLIS, or royal judges; all the other lands, towns, and baillages belonging to the nobles. The methods to which the French monarchs had recourse for extending their jurisdiction were exactly similar to those employed by our princes. Henaut's Abrege, p. 617. &c. De L'Esprit des Loix, Liv. 30. ch. 20, &c.

from Robert Bruce to James V. had formed some particular system for depressing the authority of the nobles, which was the object both of their jealousy and terror. The conduct of our monarchs, if we rest satisfied with the accounts of their historians, must be considered as flowing entirely from their resentment against particular noblemen; and all their attempts to humble them must be viewed as the sallies of private passion, not as the consequences of any general plan of policy. But, though some of their actions may be imputed to those passions, though the different genius of the men, the temper of the times, and the state of the nation, necessarily occasioned great variety in their schemes, yet, without being chargeable with excessive refinement, we may affirm, that their end was uniformly the same. And the project of reducing the power of the aristocracy, sometimes avowed, and pursued with vigour; sometimes concealed, or seemingly suspended; was never altogether abandoned.

No prince was ever more indebted to his nobles than Robert Bruce. Their valour conquered the kingdom, and placed him on the throne. His gratitude and generosity bestowed on them the lands of the vanquished. Property has seldom undergone greater or more sudden revolutions, than those to which it was subject at that time in Scotland. Edward I. having forfeited the estates of most of the ancient Scottish nobles, granted

them to his English subjects. These were expelled by the Scots, and their lands seized by new masters. Amidst such rapid changes, confusion was unavoidable; and many possessed their lands by titles extremely lame. During one of those truces between the two nations, occasioned rather by their being weary of war, than desirous of peace, Robert formed a scheme for checking the growing power and wealth of the nobles. He summoned them to appear, and to show by what rights they held their lands. They assembled accordingly; and the question being put, they started up at once, and drew their swords, "By these, said they, we acquired our lands, and with these we will defend them." The king, intimidated by their boldness, prudently dropt the project. But so deeply did the nobles resent this attack upon their order, that notwithstanding Robert's popular and splendid virtues, it occasioned a dangerous conspiracy against his life.

David his son, at first an exile in France, afterwards a prisoner in England, and involved in a continual war with Edward III. had not leisure to attend to the internal police of his kingdom, or to think of retrenching the privileges of the nobility.

Our historians have been more careful to relate the military, than the civil transactions of the reign of Robert II. Skirmishes

and inroads of little consequence they describe minutely; but with regard to every thing that happened during several years of tranquillity, they are altogether silent.

The feeble administration of Robert III. must likewise be passed over slightly. A prince of a mean genius, and of a frail and sickly constitution, was no fit person to enter the lists with active and martial nobles, or to attempt wresting from them any of their rights.

The civil transactions in Scotland are better known since the beginning of James I.'s reign; and a complete series of our laws supplies the defects of our historians. The English made some amends for their injustice in detaining that prince a prisoner, by their generous care of his education. During his long residence in England, he had an opportunity of observing the feudal system in a more advanced state, and refined from many of the imperfections which still adhered to it in his own kingdom. He saw there nobles great, but not independent; a king powerful, though far from absolute; he saw a regular administration of government; wise laws enacted; and a nation flourishing and happy, because all ranks of men were accustomed to obey them. Full of these ideas, he returned into his native country, which presented to him a very different scene. The royal authority, never

great, was now contemptible, by being so long delegated to regents. The ancient patrimony and revenues of the crown, were almost totally alienated. During his long absence, the name of a king was little known, and less regarded. The licence of many years had rendered the nobles independent. Universal anarchy prevailed. The weak were exposed to the rapine and oppression of the strong. In every corner some barbarous chieftain ruled at pleasure, and neither feared the king, nor pitied the people *.

James was too wise a prince to employ open force to correct such inveterate evils. Neither the men nor the times would have borne it. He applied the gentler and less offensive remedy of laws and statutes. In a parliament held immediately after his return, he gained the confidence of his people by many wise laws, tending visibly to re-establish order, tranquillity, and justice in the kingdom. But at the same time that he endeavoured to secure these blessings to his subjects, he discovered his intention to recover those possessions of which the crown

* A cotemporary monkish writer describes these calamities very feelingly, in his rude Latin. In diebus illis, non erat lex in Scotia, sed quilibet potentiorum juniorem oppressit; et totum regnum fuit unum latrocinium; homicidia, deprædationes, incendia, et cætera maleficia remanserunt impunita; et justitia relegata extra terminos regni exulavit. Chartular. Morav. apud Innes' Essay, vol. i. p. 272.

had been unjustly bereaved; and for that purpose obtained an act, by which he was empowered to summon those who had obtained crown lands during the three last reigns, to produce the rights by which they held them *. As this statute threatened the property of the nobles, another which passed in a subsequent parliament, aimed a dreadful blow at their power. By it, the leagues and combinations which we have already described, and which rendered the nobles so formidable to the crown, were declared unlawful †. Encouraged by this success in the beginning of his enterprise, James's next step was still bolder and more decisive. During the sitting of parliament, he seized, at once, his cousin Murdo Duke of Albany, and his sons; the Earls of Douglas, Lennox, Angus, March, and above twenty other peers and barons of prime rank. To all of them, however, he was immediately reconciled, except to Albany, and his sons, and Lennox. These were tried by their peers, and condemned; for what crime is now unknown. Their execution struck the nobles with terror, and their forfeiture added vast possessions to the crown. He seized likewise the earldoms of Buchan and Strathern, upon different pretexts; and that of Mar fell to him by inheritance. The patience and inactivity of the nobles, while the king was

* Act 9. p. 1424. † Act 30. p. 1424.

proceeding so rapidly towards aggrandizing the crown, are amazing. The only obstruction he met with, was from a slight insurrection headed by the Duke of Albany's youngest son, and that was easily suppressed. The splendour and presence of a king, to which the nobles had been long unaccustomed, inspired reverence: James was a prince of great abilities, and conducted his operations with much prudence. He was in friendship with England, and closely allied with the French king: he was adored by the people, who enjoyed unusual security and happiness under his administration; and all his acquisitions, however fatal to the body of the nobles, had been gained by attacks upon individuals; were obtained by decisions of law; and being founded on circumstances peculiar to the persons who suffered, might excite murmurs and apprehensions, but afforded no colourable pretext for a general rebellion. It was not so with the next attempt which the king made. Encouraged by the facility with which he had hitherto advanced, he ventured upon a measure that irritated the whole nobles, and which the event shows either to have been entered into with too much precipitancy, or to have been carried on with too much violence. The father of George Dunbar Earl of March had taken arms against Robert III. the king's father; but that crime had been

pardoned, and his lands restored by Robert Duke of Albany. James, on pretext that the regent had exceeded his power, and that it was not competent to any but the king himself to pardon treason, or to alienate lands annexed to the crown, obtained a sentence declaring the pardon to be void, and depriving Dunbar of the earldom. Many of the nobles held lands by no other right than what they derived from grants of the two Dukes of Albany. Such a decision, though they had reason to expect it in consequence of the statute which the king had obtained, occasioned a general alarm. Though Dunbar was at present the only sufferer, the precedent might be extended, and their titles to possessions, which they considered as the rewards of their valour, might be subjected to the review of courts of law, whose forms of proceeding, and jurisdiction, were in a martial age little known, and extremely odious. Terror and discontent spread fast upon this discovery of the king's intentions; the common danger called on the whole order to unite, and to make one bold stand, before they were stripped piecemeal, and reduced to a state of poverty and insignificance. The prevalence of these sentiments among the nobles encouraged a few desperate men, the friends or followers of those who had been the chief sufferers under the king's administration, to form a conspiracy against

his life. The first uncertain intelligence of this was brought him while he lay in his camp before Roxburgh castle. He durst not confide in nobles to whom he had given so many causes of disgust, but instantly dismissed them and their vassals, and retiring to a monastery near Perth, was soon after murdered there, in the most cruel manner. All our historians mention, with astonishment, this circumstance of the king's disbanding his army at a time when it was so necessary for his preservation. A king, say they, surrounded with his barons, is secure from secret treason, and may defy open rebellion. But those very nobles were the persons whom he chiefly dreaded; and it is evident, from this review of his administration, that he had greater reason to apprehend danger, than to expect defence, from their hands. It was the misfortune of James, that his maxims and manners were too refined for the age in which he lived. Happy! had he reigned in a kingdom more civilized; his love of peace, of justice, and of elegance, would have rendered his schemes successful; and instead of perishing because he had attempted too much, a grateful people would have applauded and seconded his efforts to reform and to improve them.

Crichton, the most able man of those who had the direction of affairs during the minority of James II. had been the minister of

James I. and well acquainted with his resolution of humbling the nobles. He did not relinquish the design, and he endeavoured to inspire his pupil with the same sentiments. But what James had attempted to effect slowly, and by legal means, his son and Crichton pursued with the impetuosity natural to Scotsmen, and with the fierceness peculiar to that age. William the sixth Earl of Douglas was the first victim to their barbarous policy. That young nobleman (as we have already observed), contemning the authority of an infant prince, almost openly renounced his allegiance, and aspired to independence. Crichton, too high-spirited to bear such an insult, but too weak to curb or to bring to justice so powerful an offender, decoyed him by many promises to an interview in the castle of Edinburgh, and, notwithstanding these, murdered both him and his brother. Crichton, however, gained little by this act of treachery, which rendered him universally odious. William the eighth Earl of Douglas was no less powerful, and no less formidable to the crown. By forming the league which we already mentioned with the Earl of Crawford and other barons, he had united against his sovereign almost one half of his kingdom. But his credulity led him into the same snare which had been fatal to the former earl. Relying on the king's promises, who had now attained to

the years of manhood, and having obtained a safe-conduct under the great seal, he ventured to meet him in Stirling castle. James urged him to abandon that dangerous confederacy into which he had entered; the Earl obstinately refused: "If you will not" (said the enraged monarch, drawing his dagger), "this shall;" and stabbed him to the heart. An action so unworthy of a king filled the nation with astonishment and with horror. The earl's vassals ran to arms with the utmost fury, and dragging the safe-conduct, which the king had granted and violated, at a horse's tail, they marched towards Stirling, burnt the town, and threatened to besiege the castle. An accommodation ensued, on what terms is not known. But the king's jealousy, and the earl's power and resentment, prevented it from being of long continuance. Both took the field at the head of their armies, and met near Abercorn. That of the earl, composed chiefly of borderers, was far superior to the king's both in number and in valour; and a single battle must, in all probability, have decided whether the house of Stewart or of Douglas was henceforth to possess the throne of Scotland. But, while his troops impatiently expected the signal to engage, the earl ordered them to retire to their camp; and Sir James Hamilton of Cadyow, the person in whom he placed the greatest confidence, con-

vinced of his want of genius to improve an opportunity, or of his want of courage to seize a crown, deserted him that very night. This example was followed by many; and the earl, despised, or forsaken by all, was soon driven out of the kingdom, and obliged to depend for his subsistence on the friendship of the king of England. The ruin of this great family, which had so long rivalled and overawed the crown, and the terror with which such an example of unsuccessful ambition filled the nobles, secured the king, for some time, from opposition; and the royal authority remained uncontrolled and almost absolute. James did not suffer this favourable interval to pass unimproved; he procured the consent of parliament to laws more advantageous to the prerogative, and more subversive of the privileges of the aristocracy, than were ever obtained by any former or subsequent monarch of Scotland.

By one of these, not only all the vast possessions of the Earl of Douglas were annexed to the crown, but all prior and future alienations of crown lands were declared to be void, and the king was empowered to seize them at pleasure, without any process or form of law, and obliged the possessors to refund whatever they had received from them *. A dreadful instrument of oppression in the hands of a prince.

* Act 41. p. 1455.

Another law prohibited the wardenship of the marches to be granted hereditarily; restrained, in several instances, the jurisdiction of that office; and extended the authority of the king's courts *.

By a third, it was ordained that no *Regality*, or exclusive right of administering justice within a man's own lands, should be granted in time to come, without the consent of parliament †, a condition which implied almost an express prohibition. Those nobles who already possessed that great privilege, would naturally be solicitous to prevent it from becoming common, by being bestowed on many. Those who had not themselves attained it, would envy others the acquisition of such a flattering distinction; and both would concur in rejecting the claims of new pretenders.

By a fourth act, all new grants of hereditary offices were prohibited, and those obtained since the death of the last king were revoked ‡.

Each of these statutes undermined some of the great pillars on which the power of the aristocracy rested. During the remainder of his reign, this prince pursued the plan which he had begun with the utmost vigour; and had not a sudden death, occasioned by the splinter of a cannon which burst near

* Act 42. † Ibid. Act 43.
‡ Ibid. Act 44.

him at the siege of Roxburgh, prevented his progress, he wanted neither genius nor courage to perfect it; and Scotland might, in all probability, have been the first kingdom in Europe which would have seen the subversion of the feudal system.

James III. discovered no less eagerness than his father or grandfather to humble the nobles; but, far inferior to either of them in abilities and address, he adopted a plan extremely impolitic, and his reign was disasterous, as well as his end tragical. Under the feudal governments, the nobles were not only the king's ministers, and possessed of all the great offices of power or of trust; they were likewise his companions and favourites, and scarce any but them approached his person, or were entitled to his regard. But James, who both feared and hated his nobles, kept them at an unusual distance, and bestowed every mark of confidence and affection upon a few mean persons, of professions so dishonourable as ought to have rendered them unworthy of his presence. Shut up with these in his castle of Stirling, he seldom appeared in public, and amused himself with architecture, music, and other arts, which were then little esteemed. The nobles beheld the power and favour of these minions with indignation. Even the sanguinary measures of his father provoked them less than his neglect. Individuals alone suf-

fered by the former; by the latter, every man thought himself injured, because all were contemned. Their discontent was much heightened by the king's recalling all rights of crown lands, hereditary offices, regalities, and every other concession which was detrimental to his prerogative, and which had been extorted during his minority. Combinations among themselves, secret intrigues with England, and all the usual preparatives for civil war, were the effects of their resentment. Alexander Duke of Albany, and John Earl of Mar, the king's brothers, two young men of turbulent and ambitious spirits, and incensed against James, who treated them with the same coldness as he did the other nobles, entered deeply into all their cabals. The king detected their designs before they were ripe for execution, and seizing his two brothers, committed the Duke of Albany to Edinburgh castle. The Earl of Mar, having remonstrated with too much boldness against the king's conduct, was murdered, if we may believe our historians, by his command. Albany, apprehensive of the same fate, made his escape out of the castle, and fled into France. Concern for the king's honour, or indignation at his measures, were perhaps the motives which first induced him to join the malecontents. But James's attachment to favourites rendering him every day more odious to the nobles,

the prospect of the advantages which might be derived from their general dissaffection, added to the resentment which he felt on account of his brother's death, and his own injuries, soon inspired Albany with more ambitious and criminal thoughts. He concluded a treaty with Edward IV. of England, in which he assumed the name of Alexander King of Scots; and in return for the assistance which was promised him towards dethroning his brother, he bound himself, so soon as he was put in possession of the kingdom, to swear fealty and to do homage to the English monarch, to renounce the ancient alliance with France, to contract a new one with England, and to surrender some of the strongest castles, and most valuable counties in Scotland *. That aid, which the Duke so basely purchased at the price of his own honour, and the independence of his country, was punctually granted him, and the Duke of Gloucester with a powerful army conducted him towards Scotland. The danger of a foreign invasion obliged James to implore the assistance of those nobles whom he had so long treated with contempt. Some of them were in close confederacy with the Duke of Albany, and approved of all his pretensions. Others were impatient for any event which would restore their order to its ancient pre-eminence.

* Aberer. Mart. Atch. v. ii. p 443.

They took the field, however, at the head of a powerful army of their followers, but with a stronger disposition to redress their own grievances than to annoy the enemy; and with a fixed resolution of punishing those minions, whose insolence they could no longer tolerate. This resolution they executed in the camp near Lawder, with a military dispatch and rigour. Having previously concerted their plan, the Earls of Angus, Huntly, Lennox, followed by almost the whole barons of chief note in the army, forcibly entered the apartment of their sovereign, seized all his favourites except one Ramsay, whom they could not tear from the king, in whose arms he took shelter, and without any form of trial hanged them instantly over a bridge. Among the most remarkable of those who had engrossed the king's affection, were Cochran a mason, Hommil a taylor, Leonard a smith, Rogers a musician, and Torsifan a fencing-master. So despicable a retinue discovers the capriciousness of James's character, and accounts for the indignation of the nobles, when they beheld the favour due to them bestowed on such unworthy objects.

James had no reason to confide in an army so little under his command; and dismissing it, shut himself up in the castle of Edinburgh. After various intrigues, Albany's lands and honours were at length restored to

him, and he seemed even to have regained his brother's favour, by some important services. But their friendship was not of long duration. James once more abandoned himself to the guidance of favourites; and the fate of those who had suffered at Lawder, did not deter others from courting that dangerous pre-eminence. Albany, on pretext that an attempt had been made to take away his life by poison, fled from court, and retiring to his castle of Dunbar, drew thither a greater multitude of nobles than attended on the king himself. At the same time, he renewed his former confederacy with Edward; the Earl of Angus openly negociated that infamous treaty; other barons were ready to concur with it; and if the sudden death of Edward had not prevented Albany's receiving any aid from England, the crown of Scotland would probably have been the reward of this unworthy combination with the enemies of his country. But instead of any hopes of reigning in Scotland, he found, upon the death of Edward, that he could not reside there in safety; and flying first to England, and then to France, he seems from that time to have taken no part in the affairs of his native country. Emboldened by his retreat, the king and his ministers multiplied the insults which they offered to the nobles. A standing guard, a thing unknown under the feudal governments, and inconsistent with

the familiarity and confidence with which monarchs then lived amidst their nobles, was raised for the king's defence, and the command of it given to Ramsay, lately created Earl of Bothwell, the same person who so narrowly escaped when his companions were put to death at Lawder. And, as if this precaution had not been sufficient, a proclamation was issued forbidding any person to appear in arms within the precincts of the court *; which, at the time, when no man of rank left his own house without a numerous retinue of armed followers, was, in effect, debarring the nobles from all access to the king. James, at the same time, became fonder of retirement than ever; and, sunk in indolence or superstition, or attentive only to amusements, devolved his whole authority upon his favourites. So many injuries provoked the most considerable nobles to take arms; and having persuaded or obliged the Duke of Rothsay, the king's eldest son, a youth of fifteen, to set himself at their head, they openly declared their intention of depriving James of a crown, of which he had discovered himself to be so unworthy. Roused by this danger, the king quitted his retirement, took the field, and encountered them near Bannockburn; but the valour of the borderers, of whom the army of the malecontents was chiefly composed, soon put

* Ferrerius, 398.

his troops to flight, and he himself was slain in the pursuit. Suspicion, indolence, immoderate attachment to favourites, and all the vices of a feeble mind, are visible in his whole conduct; but the character of a cruel and unrelenting tyrant seems to be unjustly affixed to him by our historians. His neglect of the nobles irritated, but did not weaken them; and their discontent, the immoderate ambition of his two brothers, and their unnatural confederacies with England, were sufficient to have disturbed a more vigorous administration, and to have rendered unhappy a prince of superior talents.

The indignation which many of the nobles expressed against the conduct of the conspirators, together with the terror of the sentence of excommunication which the Pope pronounced against them, obliged them to use their victory with great moderation and humanity; and being conscious how detestable the crime of imbruing their hands in the blood of their sovereign appeared, they endeavoured to regain the good opinion of their countrymen, and to atone for their treatment of the father, by their loyalty and duty towards the son. They placed him instantly on the throne, and the whole kingdom soon united in acknowledging his authority.

James IV. was naturally generous and brave; he felt, in an high degree, all the

passions which animate a young and noble mind. He loved magnificence, he delighted in war, and was eager to obtain fame. During his reign, the ancient and hereditary enmity between the king and nobles seems almost entirely to have ceased. He envied not their splendour, because it contributed to the ornament of his court; nor did he dread their power, which he considered as the security of his kingdom, not as an object of terror to himself. This confidence, on his part, met with the proper return of duty and affection on theirs; and in his war with England, he experienced how much a king beloved by his nobles is able to perform. Though the ardour of his courage, and the spirit of chivalry, rather than the prospect of any national advantage, were the motives of that expedition; such was the zeal of his subjects for the king's glory, that he was followed by as gallant an army as ever any of his ancestors had led upon English ground. But though James himself formed no scheme dangerous or detrimental to the nobles, his reign was distinguished by an event extremely fatal to them; and one accidental blow humbled them more than all the premeditated attacks of preceding kings. In the rash and unfortunate battle of Flowden, a brave nobility chose rather to die than to desert their sovereign. Twelve earls, thirteen lords, five eldest sons of noblemen, and

an incredible number of barons, fell with the king *. The whole body of the nobles long and sensibly felt this disaster; and if a prince of full age had then ascended the throne, their consternation and feebleness would have afforded him advantages which no former monarch ever possessed

But James V. who succeeded his father, was an infant of a year old; and though the office of regent was conferred on the Duke of Albany, a man of genius and enterprise, a native of France, and accustomed to a government where the power of the king was already great; though he made many bold attempts to extend the royal authority; though he put to death Lord Home, and banished the Earl of Angus, the two noblemen of greatest influence in the kingdom, the aristocracy lost no ground under his administration. A stranger to the manners, the laws, and the language of the people whom he was called to rule, he acted, on some occasions, rather like a viceroy of the French King, than the governor of Scotland; but the nobles asserted their own privileges, and contended for the interest of their country, with a boldness which convinced him of their independence, and of the impotence of his own authority. After several unsuccessful struggles, he voluntarily retired to France; and the king,

* Aber. ii. 540.

being then in his thirteenth year, the nobles agreed that he should assume the government, and that eight persons should be appointed to attend him by turns, and to advise and assist him in the administration of public affairs. The Earl of Angus, who was one of that number, did not long remain satisfied with such divided power. He gained some of his colleagues, removed others, and intimidated the rest. When the term of his attendance expired, he still retained authority, to which all were obliged to submit, because none of them was in a condition to dispute it. The affection of the young king was the only thing wanting to fix and perpetuate his power. But an active and high-spirited prince submitted to the restraint in which he was kept with great impatience. It ill suited his years or disposition, to be confined as a prisoner within his own palace, to be treated with no respect, and to be deprived of all power. He could not, on some occasions, conceal his indignation and resentment. Angus foresaw that he had much to dread from these; and as he could not gain the king's heart, he resolved to make sure of his person. James was continually surrounded by the earl's spies and confidants; many eyes watched all his motions, and observed every step he took. But the king's eagerness to obtain liberty eluded all their vigilance.

He escaped from Falkland, and fled to the castle of Stirling, the residence of the queen his mother, and the only place of strength in the kingdom which was not in the hands of the Douglasses. The nobles, of whom some were influenced by their hatred to Angus, and others by their respect for the king, crowded to Stirling, and his court was soon filled with persons of the greatest distinction. The earl, though astonished at this unexpected revolution, resolved at first to make one bold push for recovering his authority, by marching to Stirling at the head of his followers; but he wanted either courage or strength to execute this resolution. In a parliament held soon after, he and his adherents were attainted; and after escaping from many dangers, and enduring much misery, he was at length obliged to fly into England for refuge.

James had now not only the name, but, though extremely young, the full authority of a king. He was inferior to no prince of that age in gracefulness of person, or in vigour of mind; his understanding was good, and his heart warm; the former capable of great improvement, and the latter susceptible of the best impressions. But according to the usual fate of princes who are called to the throne in their infancy, his education had been neglected; his private preceptors were more ready to flatter, than to instruct him:

it was the interest of those who governed the kingdom to prevent him from knowing too much; and the Earl of Angus, in order to divert him from business, gave him an early taste for such pleasures as afterwards occupied and engrossed him more than became a king. Accordingly, we discover in James all the features of a great but uncultivated spirit. On the one hand, violent passions, implacable resentment, an immoderate desire of power, and the utmost rage at disappointment. On the other, love to his people, zeal for the punishment of private oppressors, confidence in his favourites, and the most engaging openness and affability of behaviour.

What he himself had suffered from the exorbitant power of the nobles, led him early to imitate his predecessors in their attempts to humble them. The plan he formed for that purpose was more profound, more systematic, and pursued with greater constancy and steadiness than that of any of his ancestors; and the influence of the events in his reign upon those of the subsequent period, render it necessary to explain his conduct at greater length, and to enter into a more minute detail of his actions. He had penetration enough to discover those defects in the schemes adopted by former kings which occasioned their miscarriage: The example of James I. had taught him, that wise laws operate slowly on a rude people, and that the fierce spirit of the feudal nobles was

not to be subdued by these alone. The effects of the violent measures of James II. convinced him, that the oppression of one great family is apt either to excite the suspicion and resentment of the other nobles, or to enrich with its spoils some new family, which would soon adopt the same sentiments, and become equally formidable to the crown. He saw, from the fatal end of James III. that neglect was still more intolerable to the nobles than oppression, and that the ministry of new men and favourites was both dishonourable and dangerous to a prince. At the same time, he felt that the authority of the crown was not sufficient to counterbalance the power of the nobles, and that without some new accession of strength, he could expect no better success in the struggle than his ancestors. In this extremity he applied himself to the clergy, hoping that they would both relish his plan, and concur with all their influence in enabling him to put it in execution. Under the feudal government, the church being esteemed a third estate, had its representatives in parliament; the number of these was considerable, and they possessed great influence in that assembly. The superstition of former kings, and the zeal of an ignorant age, had bestowed upon ecclesiastics a great proportion of the national wealth; and the authority which they acquired by the reverence of the people, was

superior even to that which they derived from their riches. This powerful body, however, depended entirely on the crown. The popes, notwithstanding their attention to extend their usurpations, had neglected Scotland as a distant and poor kingdom, and permitted its kings to exercise powers which they disputed with more considerable princes. The Scottish monarchs had the sole right of nomination to vacant bishoprics and abbeys *; and James naturally concluded, that men who expected preferment from his favour, would be willing to merit it by promoting his designs. Happily for him, the nobles had not yet recovered the blow given them at Flowden; and if we may judge, either from their conduct, or from the character given of them by Sir Ralph Sadler, the English envoy in Scotland, they were men of little genius, of no experience in business, and incapable of acting either with unanimity or with vigour. Many of the clergy, on the other hand, were distinguished by their great abilities, and no less by their ambition. Various causes of disgust had arisen between them and the nobles, who despised their character, and envied their power or their wealth. By acting in concert with the king, they not only gratified him, but avenged themselves, and hoped to aggrandize their own order, by depressing those who were their sole rivals.

* Epist. Reg. Scot. 1. 197, &c. Act 125. p. 1540.

Secure of so powerful a concurrence, James ventured to proceed with greater boldness. In the first heat of resentment, he had driven the Earl of Angus out of the kingdom; and, sensible that a person so far superior to the other nobles in abilities, might create many obstacles which would retard, or render ineffectual all his schemes, he solemnly swore that he would never permit him to return into Scotland, and, notwithstanding the repeated solicitations of the king of England, he adhered to his vow with unrelenting obstinacy. He then proceeded to repair the fortifications of Edinburgh, Stirling, and other castles, and to fill his magazines with arms and ammunition. Having taken these precautions by way of defence, he began to treat the nobles with the utmost coldness and reserve. Those offices, which they were apt from long possession to consider as appropriated to their order, were now bestowed on ecclesiastics, who alone possessed the king's ear, and, together with a few gentlemen of inferior rank, to whom he had communicated his schemes, were intrusted with the management of all public affairs. These ministers were chosen with judgment; and Cardinal Beatoun, who soon became the most eminent among them, was a man of superior genius. They served the king with fidelity, they carried on his measures with vigour, with reputation, and with success. James no longer

concealed his contempt of the nobles, and suffered no opportunity of mortifying them to escape. Slight offences were aggravated into real crimes, and punished with severity. Every accusation against persons of rank was heard with pleasure; every appearance of guilt was examined with rigour; and every trial proved fatal to the person accused. The banishing Hepburn Earl of Bothwell, for reasons extremely frivolous; the beheading the Master of Forbes, without sufficient evidence of his guilt; and the condemning Lady Glamis, a sister of the Earl of Angus, to be burnt for the crime of witchcraft, of which even that credulous age believed her innocent; are monuments both of the king's hatred of the nobles, of the severity of his government, and of the stretches he made towards absolute power. By these acts of authority, he tried the spirit of the nobles, and how much they were willing to bear. Their patience increased his contempt for them, and added to the ardour and boldness with which he pursued his plan. The nobles observed the tendency of his schemes with concern and with resentment; but the king's sagacity, the vigilance of his ministers, and the want of a proper leader, made it dangerous to concert any measures for their defence, and impossible to act with becoming vigour. James and his counsellors, by a false step which they took, presented to them at length

an advantage which they did not fail to improve.

Motives which are well known had prompted Henry VIII. to disclaim the pope's authority, and to seize the revenues of the regular clergy. His system of reformation satisfied none of his subjects. Some were enraged because he had proceeded so far; others murmured because he had proceeded no farther; and by his imperious temper, and alternate persecutions of the zealots for popery, and the converts to the protestant opinions, he was equally formidable to both. Henry was afraid that this general dissatisfaction of his people, might encourage his enemies on the continent to invade his kingdom. He knew that both the pope and emperor courted the friendship of the king of Scots, and endeavoured to engage him in an alliance against England. He resolved, therefore, to disappoint the effects of their negociations, by entering into a closer union with his nephew; and for that purpose sent ambassadors into Scotland, to propose a personal interview with him at York. It was plainly James's interest to accept of this invitation; the assistance of so powerful an ally, the high honours which were promised him, and the liberal subsidies he might have obtained, would have added no little dignity to his domestic government, and must have greatly facilitated the execution of his favourite plan. On

the other hand, a war with England, which he had reason to apprehend if he rejected Henry's offers of friendship, was inconsistent with all his views. This would bring him to depend on his nobles; an army could not be raised without their assistance: to call nobles incensed against their prince into the field, was to unite his enemies, to make them sensible of their own strength, and to afford them an opportunity of revenging their wrongs. James, who was not ignorant that all these consequences might follow a breach with England, listened at first to Henry's proposal, and consented to the interview at York. But the clergy dreaded an union which must have been established on the ruins of the church. Henry had taken great pains to infuse into his nephew his own sentiments concerning religion, and had frequently solicited him, by ambassadors, to renounce the usurped dominion of the pope, which was no less dishonourable to princes, than grievous to their subjects. The clergy had hitherto, with great address, diverted the king from regarding these solicitations. But, in an amicable conference, Henry expected, and they feared, that James would yield to his entreaties, or be convinced by his arguments. They knew that the revenues of the church were an alluring object to a prince who wanted money, and who loved it; that their pride and ambition raised the indignation of the

nobles; that their indecent lives gave offence to the people; that the protestant opinions were spreading fast throughout the nation; and that an universal defection from the established church would be the consequence of giving the smallest degree of encouragement to these principles. For these reasons, they employed all their credit with the king, and had recourse to every artifice and insinuation, in order to divert him from a journey which must have been so fatal to their interest. They endeavoured to inspire him with fear, by magnifying the danger to which he would expose his person, by venturing so far into England without any security but the word of a prince, who, having violated every thing venerable and sacred in religion, was no longer to be trusted; and by way of compensation for the sums which he might have received from Henry, they offered an annual donative of fifty thousand crowns; they promised to contribute liberally towards carrying on a war with England; and flattered him with the prospect of immense riches, arising from the forfeiture of persons who were to be tried and condemned as heretics. Influenced by these considerations, James broke his agreement with Henry, who, in expectation of meeting him, had already come to York; and that haughty and impatient monarch resented the affront by declaring war against Scotland. His army was soon ready to invade

the kingdom. James was obliged to have recourse to the nobles for the defence of his dominions. At his command they assembled their followers; but with the same dispositions which animated their ancestors in the reign of James III. and with a full resolution of imitating their example, by punishing those to whom they imputed the grievances of which they had reason to complain; and if the king's ministers had not been men of abilities superior to those of James III. and of considerable interest even with their enemies, who could not agree among themselves what victims to sacrifice, the camp of Fala would have been as remarkable as that of Lawder, for the daring encroachments of the nobles on the prerogative of the prince. But though his ministers were saved by this accident, the nobles had soon another opportunity of discovering to the king their dissatisfaction with his government, and their contempt of his authority. Scarcity of provisions, and the rigour of the season, having obliged the English army which had invaded Scotland to retire, James imagined that he could attack them with great advantage in their retreat; but the nobles, with an obstinacy and disdain which greatly aggravated their disobedience, refused to advance a step beyond the limits of their own country. Provoked by this insult to himself, and suspicious of a new conspiracy against his ministers, the king instantly

disbanded an army which paid so little regard to his orders, and he returned abruptly into the heart of the kingdom.

An ambitious and high spirited prince could not brook such a mortifying affront. His hopes of success had been rash, and his despair, upon a disappointment, was excessive. He felt himself engaged in an unnecessary war with England, which, instead of yielding him the laurels and triumphs that he expected, had begun with such circumstances as encouraged the insolence of his subjects, and exposed him to the scorn of his enemies. He saw how vain and ineffectual all his projects to humble the nobles had been; and that, though in times of peace a prince may endeavour to depress them, they will rise during war to their former importance and dignity. Impatience, resentment, indignation, filled his bosom by turns. The violence of these passions altered his temper, and perhaps impaired his reason. He became pensive, sullen, and retired. He seemed, through the day, to be swallowed up in profound meditation, and through the night, he was disturbed with those visionary terrors which make impression upon a weak understanding only, or a disordered fancy. In order to revive the king's spirits, an inroad on the western borders was concerted by his ministers, who prevailed upon the barons in the neighbouring provinces to raise as many troops as were

thought necessary, and to enter the enemy's country. But nothing could remove the king's aversion for his nobility, or diminish his jealousy of their power. He would not even intrust them with the command of the forces which they had assembled; that was reserved for Oliver Sinclair his favourite, who no sooner appeared to take possession of the dignity conferred upon him, than rage and indignation occasioned an universal mutiny in the army. Five hundred English, who happened to be drawn up in sight, attacked the Scots in this disorder. Hatred to the king, and contempt of their general, produced an effect to which there is no parallel in history. They overcame the fear of death, and the love of liberty; and ten thousand men surrendered to a number so far inferior, without striking a single blow. No man was desirous of a victory, which would have been acceptable to the king and to his favourite; few endeavoured to save themselves by flight; the English had the choice of what prisoners they pleased to take; and almost every person of distinction, who was engaged in the expedition, remained in their hands. This astonishing event was a new proof to the king of the general disaffection of the nobles, and a new discovery of his own weakness, and want of authority. Incapable of bearing these repeated insults, and unable to revenge them, his spirit sunk altogether. The deepest me-

lancholy and despair succeeded to the furious transports of rage and indignation, which the first account of the rout of his army occasioned. All the violent passions which are the enemies of life preyed upon his mind, and wasted and consumed a youthful and vigorous constitution. Some authors of that age impute his untimely death to poison; but the diseases of the mind, when they rise to an height, are often mortal; and the known effects of disappointment, rage, and indignation upon a sanguine and impetuous temper, sufficiently account for his unhappy fate. "His death (says Drummond) proveth his mind to have been raised to an high strain, and above mediocrity; he could die, but could not digest a disaster." Had James survived this misfortune, one of two things must have happened: either the violence of his temper would have engaged him openly to attack the nobles, who would have found in Henry a willing and powerful protector, and have derived the same assistance from him, which the malecontents in the succeeding reign did from his daughter Elizabeth: in that case, a dangerous civil war would have been the certain consequence: Or, perhaps, necessity might have obliged him to accept of Henry's offers, and be reconciled to his nobles. In that event, the church would have fallen a sacrifice to their union; a Reformation, upon Henry's plan, would have been established by

law; a great part of the temporalties of the church would have been seized, and the friendship of the king and nobles cemented by dividing its spoils.

Such were the efforts of our kings towards reducing the exorbitant power of the nobles. If they were not attended with success, we must not, for that reason, conclude that they were not conducted with prudence. Every circumstance seems to have combined against the crown. Accidental events concurred with political causes, in rendering the best concerted measures abortive. The assassination of one king, the sudden death of another, and the fatal despair of a third, contributed no less than its own natural strength to preserve the aristocracy from ruin.

Amidst these struggles, the influence which our kings possessed in their parliaments is a circumstance seemingly inexplicable, and which merits particular attention. As these assemblies were composed chiefly of the nobles, they, we are apt to imagine, must have dictated all their decisions; but, instead of this, every king found them obsequious to his will, and obtained such laws as he esteemed necessary for extending his authority. All things were conducted there with dispatch and unanimity; and in none of our historians do we find an instance of any opposition formed against the court in parliament, or mention of any difficulty in carrying through the measures

which were agreeable to the king. In order to account for this singular fact, it is necessary to inquire into the origin and constitution of parliament.

The genius of the feudal government, uniform in all its operations, produced the same effects in small as in great societies; and the territory of a baron was, in miniature, the model of a kingdom. He possessed the right of jurisdiction; but those who depended on him being free men, and not slaves, could be tried by their peers only; and therefore his vassals were bound to attend his courts, and to assist both in passing and executing his sentences. When assembled on these occasions, they established, by mutual consent, such regulations as tended to the welfare of their small society; and often granted voluntarily such supplies to their *superior* as his necessities required. Change now a single name: in place of baron, substitute king, and we behold a parliament in its first rudiments, and observe the first exertions of those powers which its members now possess as judges, as legislators, and as dispensers of the public revenues. Suitable to this idea are the appellations of the *King's Court* *, and of the *King's Great Council*, by which parliaments were anciently distinguished; and suitable to this, likewise, were the constituent members of which it was composed. In all the feudal

* Du Cange, Voc. Curia.

kingdoms, those who held of the king *in chief*, were bound, by the condition of their tenure, to attend and to assist in his courts. Nor was this esteemed a privilege, but a service. It was exacted likewise of bishops, abbots, and the greater ecclesiastics, who, holding vast possessions of the crown, were deemed subject to the same burden. Parliaments did not continue long in this state. Cities gradually acquired wealth; a considerable share of the public taxes were levied on them; the inhabitants grew into estimation; and being enfranchised by the sovereign, a place in parliament was the consequence of their liberty, and of their importance. But as it would have been absurd to confer such a privilege, or to impose such a burden on a whole community, every borough was permitted to choose one or two of its citizens to appear in the name of the corporation; and the idea of *representation* was first introduced in this manner. An innovation, still more important, naturally followed. The vassals of the crown were originally few in number, and extremely powerful; but as it is impossible to render property fixed and permanent, many of their possessions came gradually, and by various methods of alienation, to be split and parcelled out into different hands. Hence arose the distinction between the *greater* and the *lesser barons*. The former were those who retained their original fiefs undivided;

the latter were the new and less potent vassals of the crown. Both were bound, however, to perform all feudal services, and of consequence to give attendance in parliament. To the lesser barons, who formed no inconsiderable body, this was an intolerable grievance. Barons sometimes denied their tenure, boroughs renounced their right of electing, charters were obtained containing an exemption from attendance; and the anxiety with which our ancestors endeavoured to get free from the obligation of sitting in parliament, is surpassed by that only with which their posterity solicit to be admitted there. In order to accommodate both parties, and at once to secure to the king a sufficient number of members in his great council, and to save his vassals from an unnecessary burden, an easy expedient was found out. The obligation to personal attendance was continued upon the greater barons, from which the lesser barons were exempted, on condition of their electing, in each county, a certain number of *representatives* to appear in their name. Thus a parliament became complete in all its members, and was composed of Lords Spiritual and Temporal, of Knights of the shires, and of Burgesses. As many causes contributed to bring government earlier to perfection in England than in Scotland; as the rigour of the feudal institutions abated sooner, and its defects were supplied with greater fa-

cility in the one kingdom than in the other; England led the way in all these changes, and burgesses and knights of the shire appeared in the parliaments of that nation before they were heard of in ours. Burgesses were first admitted into the Scottish parliaments by Robert Bruce * [A. D. 1326,]; and in the preamble to the laws of Robert III. they are ranked among the constituent members of that assembly. The lesser barons were indebted to James I. [1427,] for a statute exempting them from personal attendance, and permitting them to elect representatives: the exemption was eagerly laid hold on; but the privilege was so little valued, that, except one or two instances, it lay neglected during one hundred and sixty years; and James VI. first obliged them to send representatives regularly to parliament †.

A Scottish parliament, then, consisted anciently of great barons, of ecclesiastics, and a few representatives of boroughs. Nor were these divided, as in England, into two houses, but composed one assembly, in which the Lord Chancellor presided ‡. And in rude

* Abercromby, i. 635.

† Essays on Brit. Antiq. Ess. II. Dalrymp. Hist. of Feud. Prop. ch. 8.

‡ In England, the peers and commons seem early to have met in separate houses; and James I. who was fond of imitating the English in all their customs, had probably an intention of introducing some considerable distinction between the greater and lesser barons in

ages, when the science of government was extremely imperfect among a martial people, unacquainted with the arts of peace, strangers to the talents which make a figure in debate, and despising them, parliaments were not held in the same estimation as at present; nor did haughty barons love those courts, in which they appeared with such evident marks of inferiority. Parliaments were often hastily assembled; and it was probably in the king's power, by the manner in which he issued his writs for that purpose, to exclude those who were averse from his measures. At a time when deeds of violence were common, and the restraints of law and decency were little regarded, no man could venture with safety to oppose the king in his own court. The great barons, or lords of parliament, were extremely few: even so late as the beginning of James VI.'s reign *, they amounted only to fifty-three. The ecclesiastics equalled them in number; and being devoted implicitly to

Scotland; at least he determined that their consultations should not be carried on under the direction of the same president; for, by his law, A. D. 1427, it is provided, "that out of the commissioners of all the shires shall be chosen a wise and expert man, called the Common Speaker of the Parliament, who shall propose all and sundry needs and causes pertaining to the commons in the parliament or general council." No such speaker, it would seem, was ever chosen; and by a subsequent law, the chancellor was declared perpetual president of parliament.

* And. Coll. v. i. pref. 40.

the crown, for reasons which have been already explained, rendered all hopes of victory in any struggle desperate. Nor were the nobles themselves so anxious as might be imagined, to prevent acts of parliament favourable to the royal prerogative: conscious of their own strength, and of the king's inability to carry these acts into execution without their concurrence, they trusted either to elude or to contemn them; and the statute revoking the king's property, and annexing alienated jurisdictions to the crown, repeated in every reign, and violated and despised as often, is a standing proof of the impotence of laws when opposed to power. So many concurring causes are sufficient, perhaps, to account for the ascendant which our kings acquired in parliament. But without having recourse to any of these, a single circumstance, peculiar to the constitution of the Scottish parliament, the mentioning of which we have hitherto avoided, will abundantly explain this fact, seemingly so repugnant to all our reasonings concerning the weakness of the king, and the power of the nobles.

As far back as our records enable us to trace the constitution of our parliaments, we find a committee distinguished by the name of *Lords of Articles*. It was their business to prepare and to digest all matters which were to be laid before the parliament. There

was rarely any business introduced into parliament but what had passed through the channel of this committee; every motion for a new law was first made there, and approved or rejected by them at pleasure; what they approved was formed into a bill, and presented to parliament; what they rejected could not be introduced into the house. This committee owed the extraordinary powers vested in it to the military genius of the ancient nobles: too impatient to submit to the drudgery of civil business, too impetuous to observe the forms, or to enter into the details necessary in conducting it, they were glad to lay that burden upon a small number, while they themselves had no other labour than simply to give or to refuse their sanction to the bills which were presented to them. The lords of articles, then, not only directed the whole proceedings of parliament, but possessed a negative before debate. That committee was chosen and constituted in such a manner, as put this valuable privilege entirely in the king's hands. It is extremely probable that the king once had the sole right of nominating the lords of articles *. They came afterwards to be

* It appears from authentic records, that a parliament was appointed to be held, March 12, 1566, and that the lords of articles were chosen and met on the 7th, five days before the assembling of parliament. If they could be regularly elected so long before the meet-

elected by the parliament, and consisted of an equal number out of each estate, and most commonly of eight temporal and eight spiritual lords, of eight representatives of boroughs, and of the eight great officers of the crown. Of this body, the eight ecclesiastics, together with the officers of the crown, were entirely at the king's devotion; and it was scarce possible that the choice could fall on such temporal lords and burgesses as would unite in opposition to his measures. Capable either of influencing their election, or of gaining them when elected, the king commonly found the lords

ing of parliament, it is natural to conclude, that the prince alone possessed the right of electing them. There are two different accounts of the manner of their election at that time; one by Mary herself, in a letter to the archbishop of Glasgow: "We, accompanied with our nobility for the time, past to the Tolbuith of Edinburgh, for holding of our parliament on the 7th day of this instant, and elected the lords articulars." If we explain these words according to strict grammar, we must conclude that the queen herself elected them. It is however more probable that Mary meant to say, that the nobles then present with her, viz. her privy counsellors, and others, elected the lords of articles. Keith's Hist. of Scotland, p. 331. The other account is Lord Ruthven's, who expressly affirms that the queen herself elected them. Keith's Append. 126. Whether we embrace the one or the other of these opinions, is of no consequence. If the privy counsellors and nobles attending the court had a right to elect the lords of articles, it was equally advantageous for the crown, as if the prince had had the sole nomination of them.

of articles no less obsequious to his will than his own privy council; and by means of his authority with them, he could put a negative upon his parliament before debate, as well as after it; and what may seem altogether incredible, the most limited prince in Europe actually possessed, in one instance, a prerogative which the most absolute could never attain *.

* Having deduced the history of the committee of lords of articles as low as the subject of this preliminary book required, it may be agreeable, perhaps, to some readers, to know the subsequent variations in this singular institution, and the political use which our kings made of these. When parliaments became more numerous and more considerable, by the admission of the representatives of the lesser barons, the preserving their influence over the lords of articles became likewise an object of greater importance to our kings.—James VI. on pretence that the lords of articles could not find leisure to consider the great multitude of affairs laid before them, obtained an act, appointing four persons to be named out of each ESTATE, who should meet twenty days before the commencement of Parliament †, to receive all supplications, &c. and rejecting what they thought frivolous, should engross in a book what they thought worthy the attention of the lords of articles. No provision is made in the act for the choice of this select body, and the king would of course have claimed that privilege. In 1633, when Charles I. was beginning to introduce those innovations which gave so much offence to the nation, he dreaded the opposition of his parliament; and in order to prevent that, an artifice was made use of to secure the lords of articles for the crown. The temporal peers were appointed to choose eight bishops, and the bishops eight peers; these sixteen met to-

† Act 222. p. 1594.

To this account of the internal constitution of Scotland, it will not be improper to add a view of the political state of Europe at that period, where the following history commences. A thorough knowledge of that general system, of which every kingdom in Europe forms a part, is not less requisite towards understanding the history of a nation than an acquaintance with its peculiar government and laws. The latter may enable us to comprehend domestic occurrences and revolutions; but without the former, foreign transactions must be altogether myste-

gether, and elected eight knights of the shire, and eight burgesses, and to these the crown officers were added as usual. If we can only suppose eight persons of so numerous a body, as the peers of Scotland were become by that time, attached to the court, these, it is obvious, would be the men whom the bishops would choose, and of consequence, the whole lords of articles were the tools and creatures of the king. This practice, so inconsistent with liberty, was abolished during the civil war; and the statute of James VI. was repealed. After the restoration, parliaments became more servile than ever. What was only a temporary device, in the reign of Charles I. was then converted into a standing law. "For my part," says the author from whom I have borrowed many of these particulars, "I should have thought "it less criminal in our restoration parliament, to have "openly bestowed upon the king a negative before de-"bate, than, in such an underhand artificial manner, to "betray their constituents and the nation." Essays on Brit. Antiq. 55. It is probable, however, from a letter of Randolph's to Cecil, 10th August 1560, that this parliament had some appearance of ancient precedent to justify their unworthy conduct.

rious and unintelligible. By attending to this, many dark passages in our history may be placed in a clear light; and where the bulk of historians have seen only the effect, we may be able to discover the cause.

The subversion of the feudal government in France, and its declension in the neighbouring kingdoms, occasioned a remarkable alteration in the political state of Europe. Kingdoms, which were inconsiderable when broken, and parcelled out among nobles, acquired firmness and strength by being united into a regular monarchy. Kings became conscious of their own power and importance. They meditated schemes of conquest, and engaged in wars at a distance. Numerous armies were raised, and great taxes imposed for their subsistence. Considerable bodies of infantry were kept in constant pay; that service grew to be honourable; and cavalry, in which the strength of European armies had hitherto consisted, though proper enough for the short and voluntary excursions of nobles who served at their own expence, were found to be unfit either for making or defending any important conquest.

It was in Italy that the powerful monarchs of France and Spain and Germany first appeared to make a trial of their new strength. The division of that country into so many small states, the luxury of the people, and their effeminate aversion for war, invit-

ed their more martial neighbours to an easy prey. The Italians, who had been accustomed to mock battles only, and to decide their quarrels by innocent and bloodless victories, were astonished at the sight of real war; and as they could not resist the torrent, they suffered it to take its course, and to spend its rage. Intrigue and policy supplied the want of strength; and necessity and self-preservation taught that ingenious people the great secret of modern politics, and showed them how to balance the power of one prince, by throwing that of another into the opposite scale. By this happy device the liberty of Italy was preserved. The scales were poised by very skilful hands; the smallest variations were attended to, and no prince was allowed long to retain any superiority that could be dangerous.

A system of conduct pursued with so much success in Italy, was not long confined to that country of political refinement. The maxim of preserving a balance of power is founded so much upon obvious reasoning, and the situation of Europe rendered it so necessary, that it soon became a matter of chief attention to all wise politicians. Every step any prince took was observed by all his neighbours. Ambassadors, a kind of honourable spies, authorised by the mutual jealousy of kings, resided almost constantly at every different court, and had it in charge

to watch all its motions. Dangers were foreseen at a greater distance, and prevented with more ease. Confederacies were formed to humble any power which rose above its due proportion. Revenge or self-defence were no longer the only causes of hostility; it became common to take arms out of policy; and war, both in its commencement and in its operations, was more an exercise of the judgment, than of the passions of men. Almost every war in Europe became general, and the most inconsiderable states acquired importance, because they could add weight to either scale.

Francis I. who mounted the throne of France in the year 1515, and Charles V. who obtained the Imperial crown in the year 1519, divided between them the strength and affections of all Europe. Their perpetual enmity was not owing either to personal jealousy, or to the caprice of private passion, but was founded so much in nature and true policy, that it subsisted between their posterity for several ages; and, notwithstanding their present accidental and unnatural union, must again revive. Charles succeeded to all the dominions of the house of Austria. No family had ever gained so much by wise and fortunate marriages. By acquisitions of this kind the Austrian princes rose, in a short time, from obscure counts of Hapsbourg, to be archdukes of Austria.

and kings of Bohemia, and were in possession of the Imperial dignity by a sort of hereditary right. Besides these territories in Germany, Charles was heir to the crown of Spain, and to all the dominions which belonged to the house of Burgundy. The Burgundian provinces engrossed at that time the riches and commerce of one half of Europe; and he drew from them, on many occasions, those immense sums which no people without trade and liberty are able to contribute. Spain furnished him a gallant and hardy infantry, to whose discipline he was indebted for all his conquests. And at the same time, by the discovery of the new world, a vein of wealth was opened to him, which all the extravagance of ambition could not exhaust. These advantages rendered Charles the first prince in Europe; but he wished to be more, and openly aspired at universal monarchy. His genius was of that kind which ripens slowly, and lies long concealed; but it grew up without observation to an unexpected height and vigour. He possessed, in an eminent degree, the characteristic virtues of all the different races of princes to whom he was allied. In forming his schemes, he discovered all the subtlety and penetration of Ferdinand his grandfather; he pursued them with that obstinate and inflexible perseverance which has ever since been peculiar to the

Austrian blood; and in executing them, he could employ the magnanimity and boldness of his Burgundian ancestors. His abilities were equal to his power; and neither of them would have been inferior to his designs, had not Providence, in pity to mankind, and in order to preserve them from the worst of all evils, universal monarchy, raised up Francis I. to defend the liberty of Europe. His dominions were less extensive, but more united than the emperor's. His subjects were numerous, active, and warlike, lovers of glory, and lovers of their king. To Charles power was the only object of desire, and he pursued it with an unwearied and joyless industry. Francis could mingle pleasure and elegance with his ambition; and though he neglected some advantages, which a more phlegmatic or more frugal prince would have improved, an active and intrepid courage supplied all his defects, and checked or defeated many of the emperor's designs.

The rest of Europe observed all the motions of these mighty rivals with a jealous attention. On the one side, the Italians saw the danger which threatened Christendom, and in order to avert it, had recourse to the expedient which they had often employed with success. They endeavoured to divide the power of the two contending monarchs into equal scales; and by the union of seve-

ral small states, to counterpoise him whose power became too great. But what they concerted with much wisdom, they were able to execute with little vigour; and intrigue and refinement were feeble fences against the encroachments of military power.

On the other side, Henry VIII. of England held the balance with less delicacy, but with a stronger hand. He was the third prince of the age in dignity and in power; and the advantageous situation of his dominions, his domestic tranquillity, his immense wealth, and absolute authority, rendered him the natural guardian of the liberty of Europe. Each of the rivals courted him with emulation; he knew it to be his interest to keep the balance even, and to restrain both, by not joining entirely with either of them. But he was seldom able to reduce his ideas to practice; he was governed by caprice more than by principle; and the passions of the man were an overmatch for the maxims of the king. Vanity and resentment were the great springs of all his undertakings, and his neighbours easily found the way, by touching these, to force him upon many rash and inconsistent enterprises. His reign was a perpetual series of blunders in politics; and while he esteemed himself the wisest prince in Europe, he was a constant dupe to those who found it necessary and could submit to flatter him.

In this situation of Europe, Scotland, which had hitherto wasted her strength in the quarrels between France and England, emerged from her obscurity, took her station in the system, and began to have some influence upon the fate of distant nations. Her assistance was frequently of consequence to the contending parties, and the balance was often so nicely adjusted, that it was in her power to make it lean to either side. The part assigned her, was to divert Henry from carrying his arms into the continent. That prince, having routed the French at Guinegat, and invested Terouënne, France attempted to divide his forces, by engaging James IV. in that unhappy expedition which ended with his life. For the same reason, Francis encouraged and assisted the Duke of Albany to ruin the families of Angus and Home, which were in the interest of England, and would willingly have persuaded the Scots to have revenged the death of their king, and to have entered into a new war with that kingdom. Henry and Francis having united not long after against the emperor, it was the interest of both kings that the Scots should continue inactive; and a long tranquillity was the effect of their union. Charles endeavoured to break this, and to embarrass Henry by another inroad of the Scots. For this end, he made great advances to James V. flattering the vanity of

the young monarch, by electing him a knight of the Golden Fleece, and by offering him a match in the Imperial family; and in return for these empty honours, he demanded of him to renounce his alliance with France, and to declare war against England. But James, who had much to lose, and who could gain little by embracing the emperor's proposals, rejected them with decency; and keeping firm to his ancient allies, left Henry at full liberty to act upon the continent with his whole strength

Henry himself began his reign by imitating the example of his ancestors with regard to Scotland. He held its power in such extreme contempt, that he was at no pains to gain its friendship; but on the contrary, he irritated the whole nation by reviving the antiquated pretensions of the crown of England to the sovereignty over Scotland. But his own experience, and the example of his enemies, gave him an higher idea of its importance. It was impossible to defend an open and extensive frontier against the incursions of an active and martial people. During any war on the continent, this obliged him to divide the strength of his kingdom. It was necessary to maintain a kind of army of observation in the north of England; and after all precautions, the Scottish borderers, who were superior to all mankind in the practice of irregular war, often made suc-

cessful inroads, and spread terror and desolation over many counties. He fell, at last, upon the true secret of policy with respect to Scotland, which his predecessors had too little penetration to discover, or too much pride to employ. The situation of the country, and the bravery of the people, made the conquest of Scotland impossible; but the national poverty, and the violence of faction, rendered it an easy matter to divide and to govern it. He abandoned, therefore, the former design, and resolved to employ the utmost address in executing the latter. It had not yet become honourable for one prince to receive pay from another, under the more decent name of a subsidy. But in all ages the same arguments have been good in courts, and of weight with ministers, factious leaders, and favourites. What were the arguments by which Henry brought over so many to his interest during the minority of James V. we know by the original warrants for remitting considerable sums into Scotland, which are still extant *. By a proper distribution of these, many persons of note were gained to his party; and a faction which held secret correspondence with England, and received all its directions from thence, appears henceforward in all our domestic contests. In the sequel of the history, we shall find

* Burn. Hist. Ref. v. i. p. 7.

the first rank had fallen into the hands of the English, in the unfortunate rout near the frith of Solway, and were still prisoners at London. Among the rest of the nobles there was little union, either in their views, or in their affections; and the religious disputes, occasioned by the opinions of the reformers, growing every day more violent, added to the rage of those factions which are natural to a form of government nearly aristocratical

The government of a queen was unknown in Scotland, and did not imprint much reverence in the minds of a martial people. The government of an infant queen was still more destitute of real authority; and the prospect of a long and feeble minority invited to faction, by the hope of impunity. James had not even provided the common remedy against the disorders of a minority, by committing to proper persons the care of his daughter's education, and the administration of affairs in her name Though he saw the clouds gathering, and foretold that they would quickly burst into a storm, he was so little able to disperse them, or to defend his daughter and kingdom against the imminent calamities, that in mere despair he abandoned them both to the mercy of fortune, and left open to every pretender the office of regent, which he could not fix to his own satisfaction.

Cardinal Beatoun, who had for many years been considered as minister, was the first who claimed that high dignity; and in support of his pretensions, he produced a testament* he himself had forged in the name of the late king; and without any right, instantly assumed the title of regent. He hoped, by the assistance of the clergy, the countenance of France, the connivance of the queen dowager, and the support of the whole popish faction, to hold by force, what he had seized on by fraud. But Beatoun had enjoyed power too long to be a favourite of the nation. Those among the nobles who wished for a reformation in religion dreaded his severity, and others considered the elevation of a churchman to the highest office of the kingdom as a depression of themselves. At their instigation, James Hamilton Earl of Arran, and next heir to the queen, roused himself from his inactivity, and was prevailed on to aspire to that station, to which proximity of blood, and the practice of the kingdom, gave him an undoubted title. The nobles, who were assembled for that purpose, unanimously conferred on him the office of regent; and the public voice applauded their choice.

No two men ever differed more widely in disposition and character, than the Earl of Arran and Cardinal Beatoun. The cardinal was by nature of immoderate ambition; by

* Sadler's Lett. 161.

long experience he had acquired address and refinement; and insolence grew upon him from continual success. His high station in the church placed him in the way of great employments; his abilities were equal to the greatest of these; nor did he reckon any of them to be above his merit. As his own eminence was founded upon the power of the church of Rome, he was a zealous defender of that superstition, and for the same reason an avowed enemy to the doctrine of the reformers. Political motives alone determined him to support the one, or to oppose the other. His early application to public business kept him unacquainted with the learning and controversies of the age; he gave judgment, however, upon all the points in dispute, with a precipitancy, violence and rigour, which cotemporary historians mention with indignation.

The character of the Earl of Arran was, in almost every thing, the reverse of the other's. He was neither infected with ambition, nor inclined to cruelty: The love of ease extinguished the former, the softness of his temper preserved him from the latter. Timidity and irresolution were his predominant failings, the one occasioned by his natural constitution, and the other arising from a consciousness that his abilities were not equal to his station. With these dispositions, he might have enjoyed and adorned private life;

but his public conduct was without courage, or dignity, or consistence: the perpetual slave of his own fears, and, by consequence, the perpetual tool of those who found their advantage in practising upon them. But as no other person could be set in opposition to the cardinal, with any probability of success, the nation declared in his favour with so general a consent, that the artifices of his rival could not withstand its united strength.

The Earl of Arran had scarce taken possession of his new dignity, when a negociation was opened with England, which gave birth to events of the most fatal consequence to himself, and to the kingdom. After the death of James, Henry VIII. was no longer afraid of any interruption from Scotland to his designs against France; and immediately conceived hopes of rendering this security perpetual, by the marriage of Edward his only son with the young queen of Scots. He communicated his intention to the prisoners taken at Solway, and prevailed on them to favour it, by the promise of liberty, as the reward of their success. In the mean time, he permitted them to return into Scotland, that, by their presence in the parliament which the regent had called, they might be the better able to persuade their countrymen to fall in with his proposals. A cause, intrusted to such able and zealous advocates, could not well miss of coming to an happy

issue. All those who feared the cardinal, or who desired a change in religion, were fond of an alliance which afforded protection to the doctrine which they had embraced, as well as to their own persons, against the rage of that powerful and haughty prelate.

But Henry's rough and impatient temper was incapable of improving this favourable conjuncture. Address and delicacy in managing the fears, and follies, and interests of men, were arts with which he was utterly unacquainted. The designs he had formed upon Scotland were obvious from the marriage which he had proposed, and he had not dexterity enough to disguise or to conceal them. Instead of yielding to the fear or jealousy of the Scots, what time and accidents would soon have enabled him to recover, he at once alarmed and irritated the whole nation, by demanding that the queen's person should be immediately committed to his custody, and that the government of the kingdom should be put in his hands during her minority.

Henry could not have prescribed more ignominious conditions to a conquered people, and it is no wonder they were rejected with indignation by men who scorned to purchase an alliance with England at the price of their own liberty. The parliament of Scotland, however, influenced by the nobles who returned from England desirous of peace with that kingdom, and delivered, by the regent's

confining the cardinal as a prisoner, from any opposition to which he might have given rise; consented to a treaty of marriage and of union, [*March* 12, 1543,] but upon somewhat of a more equal footing; and after some dark and unsuccessful intrigues, by which his ambassador endeavoured to carry off the young queen and Cardinal Beatoun into England, Henry was obliged to give up his own proposals, and to accept of theirs. On his side, he consented that the queen should continue to reside in Scotland, and himself remain excluded from any share in the government of the kingdom. On the other hand, the Scots agreed to send their sovereign into England so soon as she attained the full age of ten years, and instantly to deliver six persons of the first rank, to be kept as hostages by Henry till the queen's arrival at his court.

The treaty was still so manifestly of advantage to England, that the regent lost much of the public confidence by consenting to it. The cardinal, who had now recovered liberty, watched for such an opportunity of regaining credit, and he did not fail to cultivate and improve this to the utmost. He complained loudly, that the regent had betrayed the kingdom to its most inveterate enemies, and sacrificed its honour to his own ambition. He foretold the extinction of the true catholic religion, under the tyranny of an excommunicated heretic; but above all,

he lamented to see an ancient kingdom consenting to its own slavery, descending into the ignominious station of a dependent province; and in one hour, the weakness or treachery of a single man surrendering every thing for which the Scottish nation had struggled and fought during so many ages. These remonstrances of the cardinal were not without effect. They were addressed to prejudices and passions which are deeply rooted in the human heart. The same hatred to the ancient enemies of their country, the same jealousy of national honour, and pride of independency, which, at the beginning of the present century, went near to prevent the Scots from consenting to an union with England, upon terms of great advantage, did, at that time, induce the whole nation to declare against the alliance which had been concluded. In the one period, an hundred and fifty years of peace between the two nations, the habit of being subjected to the same king, and governed by the same maxims, had considerably abated old animosities, and prepared both people for incorporating. In the other, injuries were still fresh, and the wounds on both sides open; and in the warmth of resentment, it was natural to seek revenge, and to be averse from reconcilement. At the Union in 1707, the wisdom of Parliament despised the groundless murmurs occasioned by antiquated prejudices; but in 1543, the complaints of the

nation were better founded, and urged with a zeal and unanimity which it is neither just nor safe to disregard. The rage of the people rose to such an height, that the English ambassador could hardly be protected from their insults. The clergy contributed a great sum towards preserving the church from the dominion of a prince whose system of reformation was so fatal to their power. The nobles, after having mortified the cardinal so lately, in such a cruel manner, were now ready to applaud and to second him, as the defender of the honour and liberty of his country.

Argyle, Huntly, Bothwell, and other powerful barons, openly declared against the alliance with England. By their assistance, the cardinal seized on the persons of the young queen and her mother, and added to his party the splendour and authority of the royal name *. He received, at the same time, a more real accession to his strength, by the arrival of Matthew Stewart Earl of Lennox, whose return from France he had earnestly solicited. This young nobleman was the hereditary enemy of the house of Hamilton. He had many claims upon the regent, and pretended a right to exclude him, not only from succeeding to the crown, but to deprive him of the possession of his private fortune. The cardinal flattered his vanity with the prospect of mar-

* Keith's Hist. of Scot. 30.

rying the queen dowager, and affected to treat him with so much studied respect, that the regent became jealous of him as a rival in power.

This suspicion was artfully heightened by the abbot of Paisley, who returned into Scotland some time before the Earl of Lennox, and acted in concert with the cardinal. He was a natural brother of the regent, with whom he had great credit, a warm partizan of France, and a zealous defender of the established religion. He took hold of the regent by the proper handle, and endeavoured to bring about a change in his sentiments, by working upon his fears. The desertion of the nobility, the disaffection of the clergy, and the rage of the people; the resentment of France, the power of the cardinal, and the pretensions of Lennox, were all represented with aggravation, and with their most threatening aspect.

Mean while, the day appointed for the ratification of the treaty with England, and the delivery of the hostages, approached, and the regent was still undetermined in his own mind. He acted to the last with that irresolution and inconsistency which is peculiar to weak men, when they are so unfortunate as to have the chief part in the conduct of difficult affairs. On the 25th of August he ratified the treaty with Henry, and proclaimed the cardinal, who still continued to oppose it, an

enemy to his country. On the 3 These insi- tember, he secretly withdrew from the re- burgh, met with the cardinal at Calle spect renounced the friendship of England, and de- clared for the interests of France *.

Henry, in order to gain the regent, had not spared the most magnificent promises. He had offered to give the princess Elizabeth in marriage to his eldest son, and to constitute him king of that part of Scotland which lies beyond the river Forth. But upon finding his interest in the kingdom to be less considerable than he had imagined, the English monarch began to treat him with little respect. The young queen was now in the custody of his enemies, who grew every day more numerous and more popular. They formed a separate court at Stirling, and threatened to elect another regent. The French king was ready to afford them his protection; and the nation, out of hatred to the English, would have united in their defence. In this situation, the regent could not retain his authority without a sudden change of his measures; and though he endeavoured, by ratifying the treaty, to preserve the appearances of good faith with England, he was obliged to threw himself into the arms of the party which adhered to France.

Soon after this surprising revolution in his political principles, the regent changed his

* Sadler, 339, 356.

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sentiments concerning religion. The spirit of controversy was then new and warm: books of that kind were eagerly read by men of every rank: the love of novelty, or the conviction of truth, had led the regent to express great esteem for the writings of the reformers; and having been powerfully supported by those who had embraced their opinions, he, in order to gratify them, entertained in his own family two of the most noted preachers of the protestant doctrine, and in his first parliament consented to an act, by which the laity were permitted to read the scriptures in a language which they understood. Truth needed only a fair hearing to be an overmatch for error. Absurdities which had long imposed on the ignorance and credulity of mankind were detected, and exposed to public ridicule; and under the countenance of the regent, the reformation made great advances. The cardinal observed its progress with concern, and was at the utmost pains to obstruct it. He represented to the regent his great imprudence in giving encouragement to opinions so favourable to Lennox's pretensions; that his own legitimacy depended upon the validity of a sentence of divorce founded on the pope's authority; and that by suffering it to be called in question, he weakened his own title to the succession, and furnished his rival with the only argument by which it

could be rendered doubtful *. These insinuations made a deep impression on the regent's timorous spirit, who, at the prospect of such imaginary dangers, was as much startled as the cardinal could have wished; and his zeal for the protestant religion was not long proof against his fear. He publicly abjured the doctrine of the reformers in the Franciscan church at Stirling, and declared not only for the political, but the religious opinions of his new confidents.

The protestant doctrine did not suffer much by his apostacy. It had already taken so deep root in the kingdom, that no discouragement or severity could extirpate it. The regent indeed consented to every thing that the zeal of the cardinal thought necessary for the preservation of the established religion. The reformers were persecuted with all the cruelty which superstition inspires into a barbarous people: Many were condemned to that dreadful death which the church has appoint-

* The pretensions of the Earl of Lennox to the succession were thus founded. Mary, the daughter of James II. was married to James Lord Hamilton. Elizabeth, a daughter of that marriage, was the wife of Matthew Earl of Lennox, and the present Earl was her grandson. The regent was likewise the grandson of the princess Mary. But his father, being divorced from his second wife Elizabeth Home, married Janet Beatoun, the regent's mother. Lennox pretended that the sentence of divorce was unjust, and that the regent being born while Elizabeth Home was still alive, ought to be considered as illegitimate. Crawf. Peer. 192.

ed for the punishment of its enemies; but they suffered with a spirit so nearly resembling the patience and fortitude of the primitive martyrs, that more were converted than terrified by these spectacles.

The cardinal, however, was now in possession of every thing his ambition could desire, and exercised all the authority of a regent without the envy of the name. He had nothing to fear from the Earl of Arran, who having by his inconstancy forfeited the public esteem, was contemned by one half of the nation, and little trusted by the other. The pretensions of the Earl of Lennox were the only thing which remained to embarrass him. He had made use of that nobleman very successfully to work upon the regent's jealousy and fear; but as he no longer stood in need of such an instrument, he was willing to be rid of him with decency. Lennox soon began to suspect his intention: promises, flattery and respect were the only returns he had hitherto received for substantial services; but at last the cardinal's artifices could no longer be concealed, and Lennox, instead of attaining power and dignity himself, saw that he had been employed only to procure these for another. Resentment and disappointed ambition pushed him on to seek to be revenged on that cunning prelate, who, by sacrificing his interest, had so ungenerously purchased the Earl of Arran's friendship. He with-

drew, for that reason, from court, and declared for the party at enmity with the cardinal, which with open arms received a convert who added so much lustre to their cause.

The two factions which divided the kingdom were still the same, without any alteration in their views or principles; but by one of those strange revolutions which were frequent in that age, they had, in the course of a few weeks, changed their leaders. The regent was at the head of the partizans of France and the defenders of popery, and Lennox in the same station with the advocates for the English alliance, and a reformation in religion. The one laboured to pull down his own work, which the other upheld with the same hand that had hitherto endeavoured to destroy it.

Lennox's impatience for revenge got the start of the cardinal's activity. He surprised both him and the regent by a sudden march to Edinburgh with a numerous army, and might easily have crushed them before they could prepare for their defence. But he was weak enough to listen to proposals for an accommodation; and the cardinal amused him so artfully, and spun out the treaty to such a length, that the greater part of the Earl's troops, who served, as is usual wherever the feudal institutions prevail, at their own expence, deserted him; and in concluding a peace, instead of giving the law, he was obli-

ged to receive it. A second attempt to retrieve his affairs ended yet more unfortunately. One body of his troops was cut in pieces, and the rest dispersed; and with the poor remains of a ruined party, he must either have submitted to the conqueror, or have fled out of the kingdom, if the approach of an English army had not brought him a short relief.

Henry was not of a temper to bear tamely the indignity with which he had been treated both by the regent and parliament of Scotland, who, at the time when they renounced their alliance with him, had entered into a new and stricter confederacy with France. The rigour of the season retarded for some time the execution of his vengeance: But in the spring, a considerable body of infantry which was destined for France received orders to sail for Scotland and a proper number of cavalry was appointed to join it by land. The regent and cardinal little expected such a visit. They had trusted that the French war would find employment for all Henry's forces, and, from an unaccountable security, were wholly unprovided for the defence of the kingdom. The Earl of Hartford, a name fatal to the Scots in that age, commanded this army, and landed it without opposition a few miles above Leith. He was quickly master of that place; and marching directly to Edinburgh, entered it with the same ease. After plundering the adja-

cent country, the richest and most open in Scotland, he set on fire both these towns; and upon the approach of some troops gathered together by the regent, put his booty on board the fleet, and with his land-forces retired safely to the English borders, delivering the kingdom, in a few days, from the terror of an invasion, concerted with little policy, carried on at great expence, and attended with no advantage. If Henry aimed at the conquest of Scotland, he gained nothing by this expedition: if the marriage he had proposed was still in his view, he lost a great deal. Such a rough courtship, as the Earl of Huntly humorously called it, disgusted the whole nation; their aversion for the match grew into abhorrence; and exasperated by so many indignities, the Scots were never at any period more attached to France, or more alienated from England.

The Earl of Lennox alone, in spite to the regent and French king, continued a correspondence with England, which ruined his own interest without promoting Henry's. Many of his own vassals preferring their duty to their country before their affection to him, refused to concur in any design to favour the public enemy. And after a few feeble and unsuccessful attempts to disturb the regent's administration, he was obliged to fly for safety to the court of England, where Henry rewarded services he had the

inclination, but not the power to perform, by giving him in marriage his niece the lady Margaret Douglas. This unhappy exile, however, was destined to be the father of a race of kings. He saw his son lord Darnley mount the throne of Scotland, to the perpetual exclusion of that rival who now triumphed in his ruin; and from that time, his posterity have held the sceptre in two kingdoms, by one of which he was cast out as a criminal, and by the other received as a fugitive.

Mean while, hostilities were continued by both nations, but with little vigour on either side. The historians of that age relate minutely the circumstances of several skirmishes and inroads, but they were without any considerable effect, and at this distance of time deserve no remembrance *. At last an end was put to this languishing and inactive war, by a peace, in which England, France,

* Though this war was distinguished by no important or decisive action, it was, however, extremely ruinous to individuals. There still remain two original papers, which give us some idea of the miseries to which the most fertile counties in the kingdom was exposed, by the sudden and destructive incursions of the borderers. The first seems to be the report made to Henry by the English wardens of the marches, for the year 1544, and contains their exploits from the 2d of July to the 17th of November. The account it gives of the different inroads, or FORRAYS, as they are called, is very minute; and in conclusion, the sum total of mischief they did is thus computed:

and Scotland were comprehended. Henry laboured to exclude the Scots from the benefit of this treaty, and to reserve them for that vengeance, which his attention to the affairs of the continent had hitherto delayed. But although a peace with England was of the last consequence to Francis I. whom the

Towns, towers, stedes, barnekyns, paryshe-churches, bastel-houses, cast down or burnt,	192
Scots slain,	403
Prisoners taken,	816
Nolt, i. e. black cattle, taken,	10,386
Sheep,	12,492
Nags and geldings,	1,296
Goats,	200
Bolls of corn,	850

Insight gear, i. e. houshold furniture, not reckoned.
HAYNES's State Papers, 43.

The other contains an account of an inroad by the Earl of Hartford, between the 8th and 23d of September, 1545: the narrative is more general, but it appears that he had burnt, rased, and destroyed, in the counties of Berwick and Roxburgh only,

Monasteries and Friar-houses,	7
Castles, towers, and piles,	16
Market towns,	5
Villages,	243
Milns,	13
Hospitals,	3

All these were cast down or burnt. *Haynes*, 52. As the Scots were no less skilful in the practice of irregular war, we may conclude that the damage which they did in England was not inconsiderable; and that their RAIDS were no less wasteful than the FORRAYS of the English.

Emperor was preparing to attack with all his forces, he was too generous to abandon allies who had served him with fidelity, and chose rather to purchase Henry's friendship with disadvantage to himself, than to leave them exposed to danger. By yielding some things to the interest, and more to the vanity of that haughty prince; by submission, flattery, and address, he in the end prevailed to have the Scots included in the peace agreed upon.

The consternation occasioned by an event which happened a short time before the conclusion of this peace, rendered it more acceptable to the whole nation. Cardinal Beatoun had not used his power with moderation equal to the prudence by which he attained it. Notwithstanding his great abilities, he had too many of the passions and prejudices of an angry leader of a faction, to govern a divided people with temper. His resentment against one party of the nobility, his insolence towards the rest, his severity to the reformers, and above all, the barbarous and illegal execution of the famous George Wishart, a man of honourable birth, and of primitive sanctity, wore out the patience of a fierce age; and nothing but a bold hand was wanting to gratify the public wish by his destruction. Private revenge, inflamed and sanctified by a false zeal for religion, quickly supplied this want. Norman Lefly, the eldest son of the Earl of Rothes, had been treated

by the cardinal with injustice and contempt. It was not the temper of the man, or the spirit of the times, quietly to digest an affront: and as the profession of his adversary screened him from the effects of what is called an honourable resentment, he resolved to take that satisfaction which he could not demand. This resolution deserves as much censure, as the singular courage and conduct with which he put it in execution excite wonder. The cardinal at that time resided at the castle of Saint Andrews, which he had fortified at great expence, and in the opinion of the age had rendered it impregnable. His retinue was numerous, the town at his devotion, and the neighbouring country full of his dependents. In this situation, sixteen persons undertook to surprise his castle, and to assassinate himself; and their success was equal to the boldness of the attempt. Early in the morning, they seized on the gate of the castle, which was set open to the workmen who were employed in finishing the fortifications; and having placed sentries at the door of the cardinal's apartment, they awakened his numerous domestics one by one, and turning them out of the castle, they, without noise or tumult, or violence to any other person, delivered their country, though by a most unjustifiable action, from an ambitious man, whose pride was insupportable to the nobles, as his cruelty and cunning were the great checks to the reformation.

His death was fatal to the catholic religion, and to the French interest in Scotland. The same zeal for both continued among a great party in the nation, but when deprived of the genius and authority of so skilful a leader, was of small consequence. Nothing can equal the consternation which a blow so unexpected occasioned among his adherents; while the regent secretly enjoyed an event, which rid him of a rival, who had not only eclipsed his greatness, but almost extinguished his power. Decency, however, the honour of the church, the importunity of the queen dowager and her faction, his engagements with France, and above all these, the desire of recovering his eldest son, whom the cardinal had detained for some time at St. Andrews in pledge of his fidelity, and who, together with the castle, had fallen into the hands of the conspirators, induced him to take arms in order to revenge the death of a man he hated.

He threatened vengeance, but was unable to execute it. One part of military science, the art of attacking fortified places, was unknown in Scotland. The weapons, the discipline, and the impetuosity of the Scots, rendered their armies as unfit for sieges, as they were active in the field. An hundred and fifty men, which was the greatest number the conspirators ever assembled, resisted all the efforts of the regent for five months *,

* Epist. Reg. Scot. 2. 379.

in a place which a single battalion, with a few battering cannon, would now reduce in as many days. This tedious siege was concluded by a truce. The regent undertook to procure for the conspirators an absolution from the pope, and a pardon in parliament; and upon obtaining these, they engaged to surrender the castle, and to set his son at liberty.

It is probable, that neither of them were sincere in this treaty. On both sides, they sought only to amuse, and to gain time. The regent had applied to France for assistance, and expected soon to have the conspirators at mercy. On the other hand, if Lesly and his associates were not at first incited to murder the cardinal by Henry, they were, in the sequel, powerfully supported by him. Notwithstanding the silence of cotemporary historians, there are violent presumptions of the former; of the latter there is undoubted certainty *. During the siege, the conspirators had received from England, supplies both of money and provisions; and as Henry was preparing to renew his propositions concerning the marriage and the union he had projected, and to second his negociations with a numerous army, they hoped, by concurring with him, to be in a situation in which they would no longer need a pardon, but might claim a reward.

* Keith, 60.

The death of Henry blasted all these hopes. It happened in the beginning of next year, [*Jan.* 28, 1547,] after a reign of greater splendour than true glory; bustling, though not active; oppressive in domestic government, and in foreign politics wild and irregular. But the vices of this prince were more beneficial to mankind, than the virtues of others. His rapaciousness, his profusion, and even his tyranny, by depressing the ancient nobility, and by adding new property and power to the commons, laid the foundations of the British liberty. His other passions contributed no less towards the downfal of popery, and the establishment of religious freedom in the nation. His resentment led him to abolish the power, and his covetousness to seize the wealth of the church; and by withdrawing these supports, made it easy, in the following reign, to overturn the whole fabric of superstition.

Francis I. did not long survive a prince who had been alternately his rival and his friend; but his successor, Henry II. was not neglectful of the French interest in Scotland. He sent a considerable body of men, under the command of Leon Strozzi, to the regent's assistance. By their long experience in the Italian and German wars, the French had become as dexterous in the conduct of sieges as the Scots were ignorant; and as the

boldness and despair of the conspirators could not defend them against their superior art, they surrendered to Strozzi, after a short resistance, who engaged in the name of the king his master for the security of their lives; and as his prisoners transported them into France. The castle itself, the monument of Beatoun's power and vanity, was demolished in obedience to the canon law, which, with admirable policy, denounces its anathemas even against the houses in which the sacred blood of a cardinal happens to be shed, and ordains them to be laid in ruins *.

The archbishopric of St. Andrews was bestowed by the regent upon his natural brother, John Hamilton, abbot of Paisley.

The delay of a few weeks would have saved the conspirators. Those ministers of Henry VIII. who had the chief direction of affairs during the minority of his son, Edward VI. conducted themselves, with regard to Scotland, by the maxims of their late master, and resolved to frighten the Scots into a treaty, which they had not abilities or address to bring about by any other method.

But before we proceed to relate the events which their invasion of Scotland occasioned, we shall stop to take notice of a circumstance unobserved by cotemporary historians, but extremely remarkable for the discovery it makes of the sentiments and spirit which

* Burn. Hist. Ref. 1. 338.

then prevailed among the Scots. The conspirators against Cardinal Beatoun found the regent's eldest son in the castle of St. Andrews; and as they needed the protection of the English, it was to be feared that they might endeavour to purchase it, by delivering to them this important prize. The presumptive heir to the crown, in the hands of the avowed enemies of the kingdom, was a dreadful prospect; and in order to avoid it, the parliament fell upon a very extraordinary expedient. By an act made on purpose, they excluded "the regent's eldest son from all "right of succession, public or private, so "long as he should be detained a prisoner, "and substituted in his place, his other bro-"thers, according to their seniority, and in "failure of them, those who were next heirs "to the regent *." Succession by hereditary right is an idea so obvious and so popular, that a nation seldom ventures to make a breach in it but in cases of extreme necessity. Such a necessity did the parliament discover in the present situation. Hatred to England, founded on the memory of past hostilities, and heightened by the smart of recent injuries, was the national passion. This dictated that uncommon statute, by which the order of lineal succession was so remarkably broken. The modern theories which represent this right as divine and unalienable, and that it

* Epist. Reg. Scot. 2. 359.

ought not to be violated upon any consideration whatsoever, seem to have been then altogether unknown.

In the beginning of September, the Earl of Hartford, now Duke of Somerset, and protector of England, entered Scotland at the head of eighteen thousand men; and, at the same time, a fleet of sixty ships appeared on the coast, to second his forces by land. The Scots had for some time observed this storm gathering, and were prepared for it. Their army was almost double to that of the enemy, and posted to the greatest advantage, on a rising ground above Musselburgh, not far from the banks of the river Eske. Both these circumstances alarmed the Duke of Somerset, who saw his danger, and would willingly have extricated himself out of it, by a new overture of peace, on conditions extremely reasonable. But this moderation was imputed to fear, and his proposals rejected with that scorn which the confidence of success inspires: and had the conduct of the regent, who commanded the Scots army, been in any degree equal to his confidence, the destruction of the English must have been inevitable. They were in a situation precisely similar to that of their countrymen under Oliver Cromwell, in the following century. The Scots had chosen their ground so well, that it was impossible to force them to give battle; a few days had exhausted the forage and pro-

vision of a narrow country; the fleet could only furnish a scanty and precarious subsistence: a retreat therefore was necessary; but disgrace, and perhaps ruin, were the consequences of retreating.

On both these occasions, the national heat and impetuosity of the Scots saved the English, and precipitated their own country into the utmost danger. The undisciplined courage of the private men became impatient at the sight of an enemy. The general was afraid of nothing but that the English would escape from him by flight; and leaving his advantageous situation, he attacked the Duke of Somerset near Pinkey, [*Sept.* 10, 1547,] with no better success than his rashness deserved. The protector had drawn up his troops on a gentle eminence, and had now the advantage of ground on his side. The Scottish army consisted almost entirely of infantry, whose chief weapon was a long spear, and for that reason their files were very deep, and their ranks close. They advanced towards the enemy in three great bodies, and as they passed the river, were considerably exposed to the fire of the English fleet, which lay in the bay of Musselburgh, and had drawn near the shore. The English cavalry, flushed with an advantage which they had gained in a skirmish some days before, began the attack with more im-

petuosity than good conduct. A body so firm and compact as the Scots, easily resisted the impression of cavalry, broke them, and drove them off the field. The English infantry, however, advanced, and the Scots were at once exposed to a flight of arrows, to a fire in flank from four hundred foreign fusiliers who served the enemy, and to their cannon, which were planted behind the infantry, on the highest part of the eminence. The depth and closeness of their order made it impossible for the Scots to stand long in this situation. The Earl of Angus, who commanded the vanguard, endeavoured to change his ground, and to retire towards the main body. But his friends unhappily mistook this motion for a flight, and fell into confusion. At that very instant, the broken cavalry having rallied, returned to the charge; the foot pursued the advantage they had gained; the prospect of victory redoubled the ardour of both; and, in a moment, the rout of the Scottish army became universal, and irretrievable. The encounter in the field was not long, or bloody; but, in the pursuit, the English discovered all the rage and fierceness which national antipathy, kindled by long emulation, and inflamed by reciprocal injuries, is apt to inspire. The pursuit was continued for five hours, and to a great distance. All the three roads by which the

Scots fled were strewed with spears, and swords, and targets, and covered with the bodies of the slain. Above ten thousand men fell on this day, one of the most fatal Scotland had ever seen. A few were taken prisoners, and among these some persons of distinction; and the protector had it now in his power to become master of a kingdom, out of which, not many hours before, he was almost obliged to retire with infamy *.

* The following passage in a curious and rare journal of the protector's expedition into Scotland, written by W. Patten, who was joined in commission with Cecil, as judge-marshal of the army, and printed in 1548, deserves our notice, as it gives a just idea of the military discipline of the Scots at that time. "But what after I learned, specially touching their order, their armour, and their manner as well of going to offend, as of standing to defend, I have thought necessary here to utter. Hackbutters have they few or none, and appoint their fight most commonly always afoot. They come to the field well furnished all with jack and skull, dagger and buckler, and swords all broad and thin, of exceeding good temper, and universally so made to slice, that as I never saw none so good, so think I it hard to devise the better. Hereto every man his pike, and a great kercher wrapped twice or thrice about his neck, not for cold, but for cutting. In their array towards joining with the enemy, they cling and thrust so near in the fore rank, shoulder and shoulder together, with their pikes in both their hands straight afore them, and their followers in that order so hard at their backs, laying their pikes over their foregoers shoulders, that if they do assail undiscovered, no force can well withstand them. Standing at defence they

But this victory, however great, was of no real utility, for want of skill or of leisure to improve it. Every new injury rendered the Scots more averse from an union with England; and the protector neglected the only measure, which would have made it necessary for them to have given their consent to it. He amused himself in wasting the open country, and in taking or building petty castles; whereas by fortifying a few places which were accessible by sea, he would have laid the kingdom open to the English, and, in a short time, the Scots must either have accepted of his terms, or have submitted to his power. By such an improvement of it, his victory at Dunbar gave Cromwell the command of Scotland. The battle

thrust shoulders likewise so nigh together, the fore ranks well nigh to kneeling, stoop low before, their fellows behind holding their pikes with both hands, and therewith in their left their bucklers, the one end of the pike against their right foot, and the other against the enemy breast high; their followers crossing their pike points with them forward; and thus each with other so nigh as space and place will suffer, through the whole ward, so thick, that as easily shall a bare finger pierce through the skin of an angry hedgehog, as any encounter the front of their pikes." Other curious particulars are found in this journal, from which Sir John Hayward has borrowed his account of this expedition. Life of Edward VI. 279, &c.

The length of the Scots pike or spear was appointed by Act 44, p. 1471, to be six ells; i. e. eighteen feet six inches.

of Pinkey had no other effect but to precipitate the Scots into new engagements with France. The situation of the English court may indeed be pleaded in excuse for the Duke of Somerset's conduct. That cabal of his enemies which occasioned his tragical end, was already formed; and while he triumphed in Scotland, they secretly undermined his power and credit at home. Self-preservation, therefore, obliged him to prefer his safety before his fame, and to return without reaping the fruits of his victory. At this time, however, the cloud blew over; the conspiracy by which he fell was not yet ripe for execution; and his presence suspended, for some time, its effect. The supreme power still remained in his hands, and he employed it to recover the opportunity which he had lost. A body of troops, by his command, seized and fortified Haddingtoun, [*April*, 1548,] a place which, on account of its distance from the sea, and from any English garrison, could not be defended without great expence and danger.

Mean while, the French gained more by the defeat of their allies, than the English did by their victory. After the death Cardinal Beatoun, Mary of Guise, the queen dowager, took a considerable share in the direction of affairs. She was warmly attached by blood, and by inclination, to the French interest; and in order to promote it, improved with

great dexterity every event which occurred. The spirit and strength of the Scots were broken at Pinkey; and in an assembly of nobles which met at Stirling to consult upon the situation of the kingdom, all eyes were turned towards France, and no prospect of safety appeared but in assistance from thence. But Henry II. being then at peace with England, the queen represented that they could not expect him to take part in their quarrel, but upon views of personal advantage; and that without extraordinary concessions in his favour, no assistance in proportion to their present exigencies could be obtained. The prejudices of the nation powerfully seconded these representations of the queen. What often happens to individuals took place among the nobles in this convention; they were swayed entirely by their passions, and in order to gratify them, they deserted their former principles, and disregarded their true interest. In the violence of resentment, they forgot that zeal for the independency of Scotland which had prompted them to reject the propositions of Henry VIII. and by offering voluntarily their young queen in marriage to the dauphin, eldest son of Henry II. and which was still more, by proposing to send her immediately into France to be educated at his court, they granted, out of a thirst of vengeance, what formerly they would not yield upon any consideration

of their own safety. To gain at once such a kingdom as Scotland, was a matter of no small consequence to France. Henry, without hesitation, accepted the offers of the Scottish ambassadors, and prepared for the vigorous defence of his new acquisition. Six thousand veteran soldiers, under the command of Monsieur Desse, assisted by some of the best officers, who were formed in the long wars of Francis I. arrived at Leith. They served two campaigns in Scotland, with a spirit equal to their former fame: But their exploits were not considerable. The Scots soon became jealous of their designs, and neglected to support them with proper vigour; and the caution of the English, in acting wholly upon the defensive, prevented them from attempting any enterprise of consequence, and obliged them to exhaust their strength in tedious sieges, undertaken under many disadvantages. Their efforts, however, were not without some benefit to the Scots, by compelling the English to evacuate Haddingtoun, and to surrender several small forts which they possessed in different parts of the kingdom.

But the consequences of these operations of his troops were still of greater importance to the French King. The diversion which they occasioned enabled him to wrest Boulogne out of the hands of the English; and the influence of his army in Scotland obtain-

ed the concurrence of parliament, with the overtures made to him by the assembly of nobles at Stirling, concerning the queen's marriage with the dauphin, and her education at the court of France. In vain did a few patriots remonstrate against such extravagant concessions, by which Scotland was reduced to be a province of France, and Henry, from an ally, raised to be master of the kingdom; by which the friendship of France became more fatal than the enmity of England; and every thing was fondly given up to the one, that had been bravely defended against the other. A point of so much consequence was hastily decided, [*June* 5, 1548,] in a Parliament assembled in the camp before Haddingtoun: The intrigues of the queen dowager, the zeal of the clergy, and resentment against England, had prepared a great party in the nation for such a step; the French general and ambassador, by their liberality and promises, gained over many more. The regent himself was weak enough to stoop to the offer of a pension from France, together with the title of Duke of Chatelherault in that kingdom. A considerable majority declared for the treaty, and the interest of a faction was preferred before the honour of the nation.

Having hurried the Scots into this rash and fatal resolution, the source of many calamities to themselves and to their sovereign,

the French allowed them no time for reflection or repentance. The fleet which had brought over their forces was still in Scotland, and without delay convoyed the queen into France. Mary was then six years old, and by her education in that court, the politest, but most corrupted in Europe, she acquired every accomplishment that could add to her charms as a woman, and contracted many of those prejudices which occasioned her misfortunes as a queen.

From the time that Mary was put into their hands, it was the interest of the French to suffer the war in Scotland to languish. The recovering of the Boulonnois was the object Henry had most at heart; and a slight diversion in Britain was sufficient to divide the attention and strength of the English, whose domestic factions deprived both their arms and councils of their accustomed vigour. The government of England had undergone a great revolution. The Duke of Somerset's power was acquired with too much violence, and exercised with too little moderation, to be of long continuance. Many good qualities, added to the great love of his country, could not atone for his ambition in usurping the sole direction of affairs. Almost the whole nobles combined against him; and the Earl of Warwick, no less ambitious, but more artful, conducted his measures with so much dexterity, as to raise himself upon

the ruins of his rival. Without the invidious name of protector, he succeeded to all the power and influence of which Somerset was deprived, and he quickly found peace to be necessary for the establishment of his new authority, and the execution of the vast designs he had conceived.

Henry was no stranger to Warwick's situation, and improved his knowledge of it to good purpose, in conducting the negociations for a general peace. He prescribed what terms he pleased to the English minister, who scrupled at nothing, however advantageous to that monarch and his allies. England consented [*March* 24, 1550,] to restore Boulogne and its dependencies to France, and gave up all pretensions to a treaty of marriage with the queen of Scots, or to the conquest of her country. A few small forts, of which the English troops had hitherto kept possession, were rased; and peace between the two kingdoms was established on its ancient foundation.

Both the British nations lost power, as well as reputation, by this unhappy quarrel. It was on both sides a war of emulation and resentment, rather than of interest, and was carried on under the influence of national animosities, which were blind to all advantages. The French, who entered into it with greater coolness, conducted it with more skill; and by dexterously availing themselves of

very circumstance which occurred, recovered possession of an important territory which they had lost, and added to their monarchy a new kingdom. The ambition of the English minister betrayed to them the former; the inconsiderate rage of the Scots against their ancient enemies bestowed on them the latter; their own address and good policy merited both.

Immediately after the conclusion of the peace, the French forces left Scotland, as much to their own satisfaction as to that of the nation. The Scots soon found, that the calling to their assistance a people more powerful than themselves, was a dangerous expedient. They beheld, with the utmost impatience, those who had come over to protect the kingdom, taking upon them to command in it; and on many occasions they repented the rash invitation they had given. The peculiar genius of the French nation heightened this disgust, and prepared the Scots to throw off the yoke, before they had well begun to feel it. The French were, in that age, what they are in the present, one of the most polished nations in Europe. But it is to be observed, in all their expeditions into foreign countries, whether towards the south or north, that their manners have been remarkably incompatible with the manners of every other people. Barbarians are tenacious of their own customs, because they want knowledge and

taste to discover the reasonableness and propriety of customs which differ from them. Nations which hold the first rank in politeness, are frequently no less tenacious out of pride. The Greeks were so in the ancient world; and the French are the same in the modern. Full of themselves, and accustomed, by the imitation of their neighbours, to consider their own modes as the standards of elegance, they scorn to disguise, or to lay aside the distinguishing manners of their own nation, or to make any allowance for what may differ from them among others. For this reason, the behaviour of their armies, has, on every occasion, been insupportable to strangers, and has always exposed them to hatred, and often to destruction. In that age, they over-ran Italy four several times by their valour, and lost it as often by their insolence. The Scots, naturally an irascible and high-spirited people, and who, of all nations, can least bear the most distant insinuation of contempt, were not of a temper to admit all the pretensions of such assuming guests. The symptoms of alienation were soon visible; they seconded the French in their military operations with the utmost coldness, and this secret disgust grew insensibly to a degree of indignation that could hardly be restrained; and on occasion of a very slight accident, broke out with fatal violence. A private French soldier had an idle quarrel with a ci-

tizen of Edinburgh: both nations took arms, with equal rage, in defence of their countrymen. The provost of Edinburgh, his son, and several citizens of distinction, were killed in the fray; and the French were obliged to avoid the fury of the inhabitants, by retiring out of the city. Notwithstanding the ancient alliance of France and Scotland, and the long intercourse of good offices between the two nations, an aversion to the French took its rise at this time among the Scots; the effects whereof were deeply felt, and operated powerfully through the subsequent period.

From the death of Cardinal Beatoun, nothing has been said of the state of religion. While the war with England continued, the clergy had no leisure to molest the protestants; and they were not yet considerable enough to expect any thing more than connivance and impunity. The new doctrines were still in their infancy; but, during this short interval of tranquillity, they acquired strength, and advanced, by large and firm steps, towards a full establishment in the kingdom. The first preachers against popery in Scotland, of whom several had appeared during the reign of James V. were more eminent for zeal and piety than for learning. Their acquaintance with the principles of reformation was partial, and at second hand; some of them had been educated in England; all of them had borrowed their notions from the books published

there; and, in the first dawn of the new light, they did not venture many steps before their leaders. But in a short time, the doctrines and writings of the foreign reformers became generally known; the inquisitive genius of the age pressed forward in quest of truth; the discovery of one error opened the way to others; the downfal of one imposture drew many after it; the whole fabric, which ignorance and superstition had erected in times of darkness, began to totter; and nothing was wanting to complete its ruin, but a daring and active leader to direct the attack. Such was the famous John Knox, who, with better qualifications of learning, and more extensive views than any of his predecessors in Scotland, possessed a natural intrepidity of mind which set him above fear. He began his public ministry at St. Andrew's, in the year 1547, with that success which always accompanies a bold and popular eloquence. Instead of amusing himself with lopping the branches, he struck directly at the root of popery, and attacked both the doctrine and discipline of the established church with a vehemence peculiar to himself, but admirably suited to the temper and wishes of the age.

An adversary so formidable as Knox would not have easily escaped the rage of the clergy, who observed the tendency and progress of his opinions with the utmost concern.

But, at first, he retired for safety into the castle of St. Andrew's, and while the conspirators kept possession of it, preached publicly under their protection. The great revolution in England which followed upon the death of Henry VIII. contributed, no less than the zeal of Knox, towards demolishing the popish church in Scotland. Henry had loosened the chains, and lightened the yoke of popery. The ministers of his son, Edward VI. cast them off altogether, and established the protestant religion upon almost the same footing whereon it now stands in that kingdom. The influence of this example reached Scotland, and the happy effects of ecclesiastical liberty in the one nation, inspired the other with an equal desire of recovering it. The reformers had hitherto been obliged to conduct themselves with the utmost caution, and seldom ventured to preach but in private houses, and at a distance from court. They gained credit, as happens on the first publication of every new religion, chiefly among persons in the lower and middle rank of life. But several noblemen of the greatest distinction having about this time openly espoused their principles, they were no longer under the necessity of acting with the same reserve; and with more security and encouragement they had likewise greater success. The means of acquiring and spreading knowledge became more common; and

the spirit of innovation, peculiar to that period, grew every day bolder and more universal.

Happily for the reformation, this spirit was still under some restraint. It had not yet attained firmness and vigour sufficient to overturn a system founded on the deepest policy, and supported by the most formidable power. Under the present circumstances, any attempt towards action must have been fatal to the protestant doctrines; and it is no small proof of the authority, as well as penetration of the heads of the party, that they were able to restrain the zeal of a fiery and impetuous people, till that critical and mature juncture, when every step they took was decisive and successful.

Mean while, their cause received reinforcement from two different quarters, whence they never could have expected it. The ambition of the house of Guise, and the bigotry of Mary of England, hastened the subversion of the papal throne in Scotland; and by a singular disposition of Providence, the persons who opposed the reformation in every other part of Europe with the fiercest zeal, were made instruments for advancing it in that kingdom.

Mary of Guise possessed the same bold and aspiring spirit which distinguished her family. But in her it was softened by the female character, and accompanied with great-

er temper and address. Her brothers, in order to attain the high objects at which they aimed, ventured upon such daring measures as suited their great courage. Her designs upon the supreme power were concealed with the utmost care, and advanced by address and refinements more natural to her sex. By a dexterous application of those talents, she had acquired a considerable influence on the councils of a nation hitherto unacquainted with the government of women; and without the smallest right to any share in the administration of affairs, had engrossed the chief direction of them into her own hands. But she did not long rest satisfied with the enjoyment of this precarious power, which the fickleness of the regent, or the ambition of those who governed him, might so easily disturb; and began to set on foot new intrigues, with a design of undermining him, and of opening to herself a way to succeed him in that high dignity. Her brothers entered warmly into this scheme, and supported it with all their credit at the court of France. The French king willingly concurred in a measure, by which he hoped to bring Scotland entirely under management, and in any future broil with England, to turn its whole force upon that kingdom.

In order to arrive at the desired elevation, the queen dowager had only one of two ways to choose; either violently to wrest the pow-

er out of the hands of the regent, or to obtain it by his consent. Under a minority, and among a warlike and factious people, the former was an uncertain and dangerous experiment. The latter appeared to be no less impracticable. To persuade a man voluntarily to abdicate the supreme power; to descend to a level with those above whom he was raised; and to be content with the second place, where he hath held the first, may well pass for a wild and chimerical project. This, however, the queen attempted; and the prudence of the attempt was sufficiently justified by its success.

The regent's inconstancy and irresolution, together with the calamities which had befallen the kingdom under his administration, raised the prejudices both of the nobles and of the people against him to a great height; and the queen secretly fomented these with much industry. All who wished for a change, met with a gracious reception in her court, and their spirit of disaffection was nourished by such hopes and promises, as in every age impose on the credulity of the factious. The favourers of the reformation being the most numerous and spreading body of the regent's enemies, she applied to them with a particular attention; and the gentleness of her dispositions, and seeming indifference to the religious points in dispute, made all her promises of protection and indulgence

pass upon them for sincere. Finding so great a part of the nation willing to fall in with her measures, the queen set out for France, [*Oct.* 1550,] under pretence of visiting her daughter, and took along with her those noblemen who possessed the greatest power and credit among their countrymen. Softened by the pleasures of an elegant court, flattered by the civilities of the French king, and the caresses of the house of Guise, and influenced by the seasonable distribution of a few favours, and the liberal promise of many more, they were brought to approve of all the queen's pretensions.

While she advanced by these slow but important steps, the regent either did not foresee the danger which threatened him, or neglected to provide against it. The first discovery of the train which was laid, came from two of his own confidents, Panter, Bishop of Ross, and Carnegie of Kinnaird, whom the queen had gained over to her interest, and then employed as the most proper instruments for obtaining his consent. The overture was made to him in the name of the French king, enforced by proper threatenings in order to work upon his natural timidity, and sweetened by every promise that could reconcile him to a proposal so disagreeable. On the one hand, the confirmation of his French title, together with a considerable pension, the parliamentary acknowledgment of his right of

succession to the crown, and a public ratification of his conduct during his regency, were offered him. On the other hand, the displeasure of the French king, the power and popularity of the queen dowager, the disaffection of the nobles, with the danger of an after-reckoning, were represented in the strongest colours.

It was not possible to agree to a proposal so extraordinary and unexpected without some previous struggle; and had the archbishop of St. Andrew's been present to fortify the irresolute and passive spirit of the regent, he would, in all probability, have rejected it with disdain. Happily for the queen, the sagacity and ambition of that prelate could, at this time, be no obstruction to her views. He was lying at the point of death, and in his absence, the influence of the queen's agents on a flexible temper counterbalanced several of the strongest passions in the human mind, and obtained his consent to a voluntary surrender of the supreme power.

Dec. 1551.] After gaining a point of such difficulty with so much ease, the queen returned into Scotland, in full expectation of taking immediate possession of her new dignity. But by this time the archbishop of St. Andrew's had recovered of that distemper, which the ignorance of the Scottish physicians had pronounced to be incurable. This he owed to the assistance of the famous Car-

dan, one of those irregular adventures in philosophy of whom Italy produced so many about this period. A bold genius led him to some useful discoveries, which merit the esteem of a more discerning age: a wild imagination engaged him in those chimerical sciences, which drew the admiration of his cotemporaries. As a pretender to astrology and magic, he was revered and consulted by all Europe; as a proficient in natural philosophy, he was but little known. The archbishop, it is probable, considered him as a powerful magician when he applied to him for relief; but it was his knowledge as a philosopher which enabled him to cure his disease *.

Together with his health, the archbishop recovered the entire government of the regent, and quickly determined him to recal that dishonourable promise which he had been seduced by the artifices of the queen to grant. However great her surprise and indignation were at this fresh instance of his inconstancy, she was obliged to dissemble, that she might have leisure to renew her intrigues with the protestants, whom she favoured and courted more than ever; with

* Cardan himself was more desirous of being considered as an astrologer than a philosopher: In his book De Genituris, we find a calculation of the archbishop's nativity, from which he pretends both to have predicted his disease, and to have effected his cure. He received from the archbishop a reward of eighteen hundred crowns! a great sum in that age.

De Vita sua, p. 32.

the nobles, to whom she rendered herself agreeable by various arts; and with the regent himself, in order to gain whom she employed every argument. But whatever impression her emissaries might have made on the regent, it was no easy matter to overreach or to intimidate the archbishop. Under his management, the negociations were spun out to a great length, and his brother maintained his station with that address and firmness which its importance so well merited. The universal defection of the nobles, the growing power of the protestants, who all adhered to the queen dowager, the reiterated solicitations of the French king, and above all, the interposition of the young queen, who was now entering the twelfth year of her age, and claimed a right of nominating whom she pleased to be regent, obliged him at last to resign that high office, which he had held many years. He obtained for himself the same terms of advantage which had been formerly stipulated.

It was in the parliament which met on the 10th of April 1554, that the Earl of Arran executed this extraordinary resignation; and at the same time, Mary of Guise was raised to that dignity, which had been so long the object of her wishes. Thus, with their own approbation, a woman, and a stranger, was advanced to the supreme authority over a fierce and turbulent people, who seldom

submitted without reluctance to the legal and ancient government of their native monarchs.

While the queen dowager of Scotland contributed so much towards the progress of the reformation, by the protection which she afforded it, from motives of ambition, the English queen, by her indiscreet zeal, filled the kingdom with persons active in promoting that cause. Mary ascended the throne of England, [*July* 6, 1553,] on the death of her brother Edward, and soon after married Philip II. of Spain. To the persecuting spirit of the Romish superstition, and the fierceness of that age, she added the private resentment of her own and of her mother's sufferings, with which she loaded the reformed religion; and the peevishness and severity of her natural temper carried the acrimony of all these passions to the utmost extreme. The cruelty of her persecution equalled the deeds of those tyrants who have been the greatest reproach to human nature. The bigotry of her clergy could scarce keep pace with the impetuosity of her zeal. Even the unrelenting Philip was obliged, on some occasions, to mitigate the rigour of her proceedings. Many among the most eminent reformers suffered for the doctrines which they had taught; others fled from the storm. To the greater part of these, Switzerland and Germany opened a secure asylum; and

not a few, out of choice or necessity, fled into Scotland. What they had seen and felt in England, did not abate the warmth and zeal of their indignation against popery. Their attacks were bolder and more successful than ever; and their doctrines made a rapid progress among all ranks of men.

These doctrines, calculated to rectify the opinions, and to reform the manners of mankind, had hitherto produced no other effects; but they soon began to operate with greater violence, and proved the occasion, not only of subverting the established religion, but of shaking the throne, and endangering the kingdom. The causes which facilitated the introduction of these new opinions into Scotland, and which disseminated them so fast through the nation, merit, on that account, a particular and careful inquiry. The reformation is one of the greatest events in the history of mankind, and in whatever point of light we view it, is instructive and interesting.

The revival of learning in the 15th and 16th centuries roused the world from that lethargy in which it had been sunk for many ages. The human mind felt its own strength, broke the fetters of authority by which it had been so long restrained, and venturing to move in a larger sphere, pushed its inquiries into every subject, with great boldness, and surprising success.

No sooner did mankind recover the capa-

city of exercising their reason, than religion was one of the first objects which drew their attention. Long before Luther published his famous Theses which shook the papal throne, science and philosophy had laid open, to many of the Italians, the imposture and absurdity of the established superstition. That subtle and refined people, satisfied with enjoying those discoveries in secret, were little disposed to assume the dangerous character of reformers, and concluded the knowledge of truth to be the prerogative of the wise, while vulgar minds must be overawed and governed by popular errors. But, animated with a more noble and disinterested zeal, the German theologian boldly erected the standard of truth, and upheld it with an unconquerable intrepidity, which merits the admiration and gratitude of all succeeding ages.

The occasion of Luther's being first disgusted with the tenets of the Romish church, and how, from a small rupture, the quarrel widened into an irreparable breach, is known to every one who has been the least conversant in history. From the heart of Germany, his opinions spread, with astonishing rapidity, all over Europe; and wherever they came, endangered or overturned the ancient, but ill-founded system. The vigilance and address of the court of Rome, and the power and bigotry of the Austrian family, suppressed these notions on their first

appearance, in the southern kingdoms of Europe. But the fierce spirit of the north, irritated by multiplied impositions, could neither be mollified by the same arts, nor subdued by the same force; and encouraged by some princes from piety, and by others out of avarice, it easily bore down the feeble opposition of an illiterate and immoral clergy.

The superstition of popery seems to have grown to the most extravagant height in those countries which are situated towards the different extremities of Europe. The vigour of imagination, and sensibility of frame, peculiar to the inhabitants of southern climates, rendered them susceptible of the deepest impressions of superstitious terror and credulity. Ignorance and barbarity were no less favourable to the progress of the same spirit among the northern nations. They knew little, and were disposed to believe every thing. The most glaring absurdities did not shock their gross understandings, and the most improbable fictions were received with implicit assent and admiration.

Accordingly, that form of popery which prevailed in Scotland, was of the most bigotted and illiberal kind. Those doctrines which are most apt to shock the human understanding, and those legends which farthest exceed belief, were proposed to the people without any attempt to palliate or disguise them; nor

did they ever call in question the reasonableness of the one, or the truth of the other.

The power and wealth of the church kept pace with the progress of superstition; for it is the nature of that spirit to observe no bounds, in its respect and liberality towards those whose character it esteems sacred. The Scottish kings early demonstrated how much they were under its influence, by their vast additions to the immunities and riches of the clergy. The profuse piety of David I. who acquired on that account the name of Saint, transferred almost the whole crown lands, which were at that time of great extent, into the hands of ecclesiastics. The example of that virtuous prince was imitated by his successors. The spirit spread among all orders of men, who daily loaded the priesthood with new possessions. The riches of the church all over Europe were exorbitant; but Scotland was one of those countries wherein they had farthest exceeded the just proportion. The Scottish clergy paid one half of every tax imposed on land; and as there is no reason to think, that in that age they would be loaded with any unequal share of the burden, we may conclude, that, by the time of the reformation, little less than one half of the property in the nation had fallen into the hands of a society, which is always acquiring, and can never lose.

The nature, too, of a considerable part of their property extended their influence. Many estates throughout the kingdom held of the church: church lands were let in lease at an easy rent, and were possessed by the younger sons, and descendants of the best families *. The connection between *superior* and *vassal*, between the landlord and tenant, created dependencies, and gave rise to an union of great advantage to the church; and in estimating the influence of the popish ecclesiastics over the nation, these, as well as the real amount of their revenues, must be attended to, and taken into the account.

This extraordinary share in the national property, was accompanied with proportionable weight in the supreme council of the kingdom. At a time when the number of temporal peers was extremely small, and when the lesser barons and representatives of boroughs seldom attended parliaments, the ecclesiastics formed a considerable body there. And it appears from the ancient rolls of parliament, and from the manner of choosing the lords of articles, that the proceedings of that high court must have been in a great measure under their direction †.

The reverence due to their sacred character, which was often carried incredibly far, contributed not a little towards the growth of their

* Keith, 521. Not. (b.)
† Spots. Hist. of the Ch. of Scot. 449.

power. The dignity, the titles, and precedence of the popish clergy are remarkable, both as causes and effects of that dominion which they had acquired over the rest of mankind. They were regarded by the credulous laity as beings of a superior species; they were neither subject to the same laws, nor tried by the same judges. Every guard that religion could supply was placed around their power, their possessions, and their persons; and endeavours were used, not without success, to represent them all as equally sacred.

The reputation for learning, which, however inconsiderable, was wholly engrossed by the clergy, added to the reverence which they derived from religion. The principles of sound philosophy, and of a just taste, were altogether unknown: in place of these were substituted studies, barbarous and uninstructive; but as the ecclesiastics alone were conversant in them, this procured them esteem; and a very little knowledge drew the admiration of rude ages, which knew nothing. War was the sole profession of the nobles, and hunting their chief amusement; they divided their time between these; and unacquainted with the arts, or unimproved by science, they disdained any employment foreign from military affairs, or which required rather penetration and address, than bodily vigour. Wherever the former was necessary, the cler-

gy were entrusted, because they alone were properly qualified for the trust. Almost all the high offices in civil government devolved, on this account, into their hands. The lord chancellor was the first subject in the kingdom, both in dignity and power. From the earliest ages of the monarchy to the death of Cardinal Beatoun, fifty-four persons had held that high office; and of these, forty-three had been ecclesiastics *. The lords of session were supreme judges in all matters of civil right; and by the original constitution, the president and one half of the senators in this court were churchmen.

To all this we may add, that the clergy being separated from the rest of mankind by the law of celibacy; and undistracted by those cares, and unincumbered with those burdens which occupy and oppress other men; the interest of their order became their only object, and they were at full leisure to pursue it.

The nature of their function gave them access to all persons, and at all seasons. They could employ all the motives of fear and of hope, of terror and of consolation, which operate most powerfully on the human mind. They haunted the weak and the credulous; they besieged the beds of the sick and of the dying; they suffered few to go out of the world without leaving marks of their libera-

* Crawf. Offic. of State.

lity to the church; and taught them to compound with the Almighty for their sins, by bestowing riches upon those who called themselves his servants.

When their own industry, or the superstition of mankind, failed of producing this effect, they had influence enough to call in the aid of law. Whoever died *intestate*, was presumed to have destined his moveables to pious uses: the church took possession of them. The children, the wife, the creditors of the person deceased, were often excluded from any share in what was esteemed a sacred property *. As men are apt to trust to the continuance of life with foolish confidence, and childishly shun every thing that forces them to think of their mortality, many die without settling their affairs by will; and the bold usurpation of ecclesiastics in this case, of which there are frequent vestiges in our laws, though none in our historians, may be reckoned among the most plentiful sources of the wealth of the church.

At the same time, all matrimonial and testamentary causes could be tried only in the spiritual courts, and by laws which the clergy themselves had framed. The penalty, too, by which the decisions of these courts were enforced, added to their authority. A sentence of excommunication was no less formidable than a sentence of outlawry. It was

* Essays on Brit. Antiq. 174.

pronounced on many occasions, and against various crimes: and besides excluding those upon whom it fell from Christian privileges, it deprived them of all their rights as men, or as citizens; and the aid of the secular power concurred with the superstition of mankind, in rendering the thunders of the church no less destructive than terrible.

To these general causes may be attributed the immense growth both of the wealth and power of the popish church; and without entering into any more minute detail, this may serve to discover the foundations on which a structure so stupendous was erected.

But though the laity had contributed, by their own superstition and profuseness, to raise the clergy from poverty and contempt to riches and dignity, they began, by degrees, to feel and to murmur at their encroachments. No wonder haughty and martial nobles should view the power and possessions of the church with envy, and regard the lazy and inactive character of churchmen with the utmost contempt. While, at the same time, the indecent and licentious lives of the clergy gave great and just offence to the people, and considerably abated the veneration which they were accustomed to yield to that order of men.

Immense wealth, extreme indolence, gross ignorance, and, above all, the severe injunc-

tion of celibacy, had concurred to introduce this corruption of morals among the clergy; who presuming too much upon the submission of the people, were at no pains either to conceal or disguise their own vices. According to the accounts of the reformers, confirmed by several popish writers, the most open and scandalous dissolution of manners prevailed among the Scottish clergy *. Cardinal Beatoun, with the same public pomp which is due to a legitimate child, celebrated the marriage of his natural daughter with the Earl of Crawfurd's son †; and, if we may believe Knox, he publicly continued to the end of his days a criminal correspondence with her mother, who was a woman of rank. The other prelates seem not to have been more regular and exemplary than their primate ‡.

* Winzet. ap. Keith, Append. 202, 205. Lesl. de Reb. Gest. Scot. 232.

† The marriage articles, subscribed with his own hand, in which he calls her MY DAUGHTER, are still extant. Keith p. 42.

‡ A remarkable proof of the dissolute manners of the clergy is found in the public records. A greater number of letters of LEGITIMATION were granted during the first thirty years after the reformation, than during the whole period that has elapsed since that time. These were obtained by the sons of the popish clergy. The ecclesiastics who were allowed to retain their benefices, alienated them to their children; who, when they acquired wealth, were desirous that the stain of illegitimacy might no longer remain upon their fami-

Men of such characters ought, in reason, to have been alarmed at the first clamours raised against their own morals, and the doctrines of the church, by the protestant preachers; but the popish ecclesiastics, either out of pride or ignorance, neglected the proper methods for silencing them. Instead of reforming their lives, or disguising their vices, they affected to despise the censures of the people. And while the reformers, by their mortifications and austerities, endeavoured to resemble the first propagators of Christianity, the popish clergy were compared to all those persons who are most infamous in history for the enormity and scandal of their crimes.

On the other hand, instead of mitigating the rigour, or colouring over the absurdity of the established doctrines; instead of attempting to found them upon scripture, or to reconcile them to reason; they left them without any other support or recommendation but the authority of the church, and the decrees of councils. The fables concerning purgatory, the virtues of pilgrimage, and the merits of the saints, were the topics on which they insisted in their discourses to the people; and the duty of

lies. In KEITH'S CATALOGUE OF THE SCOTTISH BISHOPS, we find several instances of such alienations of church lands, by the popish incumbents, to their natural children.

preaching being left wholly to monks of the lowest and most illiterate orders, their compositions were still more wretched and contemptible than the subjects on which they insisted. While the reformers were attended by crowded and admiring audiences, the popish preachers were either universally deserted, or listened to with scorn.

The only device which they employed in order to recover their declining reputation, or to confirm the wavering faith of the people, was equally imprudent and unsuccessful. As many doctrines of their church had derived their credit, at first, from the authority of false miracles, they now endeavoured to call in these to their aid*. But those lying wonders, which were beheld with unsuspicious admiration, or heard with implicit faith, in times of darkness and of ignorance, met with a very different reception in a more enlightened period The vigilance of the reformers detected these impostures, and exposed not only them, but the cause which needed the aid of such artifices, to ridicule.

As the popish ecclesiastics became more and more the objects of hatred and of contempt, the discourses of the reformers were listened to as so many calls for liberty; and besides the pious indignation which they excited against those corrupt doctrines, which

* Spotswood, 69.

had perverted the nature of true Christianity; besides the zeal which they inspired for the knowledge of truth, and the purity of religion; they gave rise also, among the Scottish nobles, to other views and passions. They hoped to shake off the yoke of ecclesiastical dominion, which they had long felt to be oppressive, and which they now discovered to be unchristian. They expected to recover possession of the church revenues, which they were now taught to consider as alienations made by their ancestors, with a profusion no less undecerning than unbounded. They flattered themselves that a check would be given to the pride and luxury of the clergy, who would be obliged henceforward to confine themselves within the sphere peculiar to their sacred character. An aversion for the established church, which flowed from so many concurring causes, which was raised by considerations of religion, and heightened by motives of policy, spread fast through the nation, and excited a spirit that burst out at last with irresistible violence.

Religious considerations alone were sufficient to have roused this spirit. The points in controversy with the church of Rome were of so much importance to the happiness of mankind, and so essential to the nature of true Christianity, that they merited all the zeal with which the reformers con-

tended in order to establish them. But the reformation having been represented as the effect of some wild and enthusiastic frenzy in the human mind, this attempt to account for the eagerness and zeal with which our ancestors embraced and propagated the protestant doctrines, by taking a view of the political motives alone which influenced them, and by showing how naturally these prompted them to act with so much ardour, will not, perhaps, be esteemed an unnecessary digression. We now return to the course of the history.

A. D. 1554.] The queen's elevation to the office of regent seems to have transported her, at first, beyond the known prudence and moderation of her character. She began her administration by conferring upon foreigners several offices of trust and of dignity; a step which, both from the inability of strangers to discharge these offices with vigour, and from the envy which their preferment excites among the natives, is never attended with good consequences. Vilmort was made comptroller, and intrusted with the management of the public revenues; Bonot was appointed governor of Orkney; and Rubay honoured with the custody of the great seal, and the title of vice-chancellor*. It was with the utmost indignation that the Scots beheld offices of the greatest eminence

* Lesly, de Reb. Gest. Scot. 189.

and authority dealt out among strangers. By these promotions they conceived the queen to have offered an insult both to their understandings and to their courage; to the former, by supposing them unfit for those stations which their ancestors had filled with so much dignity; to the latter, by imagining that they were tame enough not to complain of an affront, which in no former age would have been tolerated with impunity.

While their minds were in this disposition, an incident happened which inflamed their aversion for French councils to the highest degree. Ever since the famous contest between the houses of Valois and Plantagenet, the French had been accustomed to embarrass the English, and to divide their strength, by the sudden and formidable incursions of their allies, the Scots. But as these inroads were seldom attended with any real advantage to Scotland, and exposed it to the dangerous resentment of a powerful neighbour, the Scots began to grow less tractable than formerly, and scrupled any longer to serve an ambitious ally at the price of their own quiet and security. The change, too, which was daily introducing into the art of war, rendered the assistance of the Scottish forces of less importance to the French monarch. For these reasons, Henry having resolved upon a war with Philip II. and foreseen that the queen of England would take

part in her husband's quarrel, was extremely solicitous to secure in Scotland the assistance of some troops, which would be more at his commaud than an undisciplined army, led by nobles who were almost independent. In prosecution of this design, but under pretence of relieving the nobles from the expence and danger of defending the borders, the queen regent proposed in parliament [1555], to register the value of lands throughout the kingdom, to impose on them a small tax, and to apply that revenue towards maintaining a body of regular troops in constant pay. A fixed tax upon land, which the growing expence of government had introduced into almost every part of Europe, was unknown at that time, and seemed altogether inconsistent with the free and independent spirit of the feudal government. Nothing could be more shocking to a generous and brave nobility, than the entrusting to mercenary hands the defence of those territories which had been acquired or preserved by the blood of their ancestors. They received this proposal with the utmost indignation. About three hundred of the lesser barons repaired in a body to the queen regent, and represented their sense of the intended innovation with that manly and determined boldness which is natural to a free people, in a martial age. Alarmed at a remonstrance delivered in so firm a tone, and supported by

such formidable numbers, the queen prudently abandoned a scheme which she found to be universally odious. As the queen herself was known perfectly to understand the circumstances and temper of the nation, this measure was imputed wholly to the suggestions of her foreign counsellors; and the Scots were ready to proceed to the most violent extremities against them.

The French, instead of extinguishing, added fuel to the flame. They had now commenced hostilities against Spain, and Philip had prevailed on the queen of England to reinforce his army with a considerable body of her troops. In order to deprive him of this aid, Henry had recourse, as he projected, to the Scots, and attempted to excite them to invade England. But as Scotland had nothing to dread from a princess of Mary's character, who, far from any ambitious scheme of disturbing her neighbours, was wholly occupied in endeavouring to reclaim her heretical subjects; the nobles, who were assembled by the queen regent at Newbottle, listened to the solicitations of the French monarch with extreme coldness, and prudently declined engaging the kingdom in an enterprise so dangerous and unnecessary. What she could not obtain by persuasion, the queen regent brought about by a stratagem. Notwithstanding the subsistence of peace between the two kingdoms,

she commanded her French soldiers to rebuild a small fort near Berwick, which was appointed, by the last treaty, to be rased. The garrison of Berwick sallied out, interrupted the work, and ravaged the adjacent country. This insult roused the fiery spirit of the Scots, and their promptness to revenge the least appearance of national injury, dissipated in a moment the wise and pacific resolutions which they had so lately formed. War was determined, and orders instantly given for raising a numerous army. But before their forces could assemble, the ardour of their indignation had time to cool, and the English having discovered no intention to push the war with vigour, the nobles resumed their pacific system, and resolved to stand altogether upon the defensive, [A. D 1556]. They marched to the banks of the Tweed, they prevented the incursions of the enemy; and having done what they thought sufficient for the safety and honour of their country, the queen could not induce them, either by her entreaties or her artifices, to advance another step.

While the Scots persisted in their inactivity, D'Oysel, the commander of the French troops, who possessed entirely the confidence of the queen regent, endeavoured, with her connivance, to engage the two nations in hostilities. Contrary to the orders of the Scottish general, he marched over the Tweed

with his own soldiers, and invested Werk, a garrison of the English. The Scots, instead of seconding his attempt, were enraged at his presumption. The queen's partiality towards France had long been suspected, but it was now visible, that she wantonly sacrificed the peace and safety of Scotland to the interest of that ambitious and assuming ally. Under the feudal governments, it was in camps that subjects were accustomed to address the boldest remonstrances to their sovereigns. While arms was in their hands, they felt their own strength; and at that time all their representations of grievances carried the authority of commands. On this occasion, the indignation of the nobles broke out with such violence, that the queen perceiving all attempts to engage them in action to be vain, abruptly dismissed her army, and retired with the utmost shame and disgust; having discovered the impotence of her own authority, without effecting any thing which could be of advantage to France.

It is observable, that this first instance of contempt for the regent's authority, can in no degree be imputed to the influence of the new opinions in religion. As the queen's pretensions to the regency had been principally supported by those who favoured the reformation, and as she still needed them for a counterpoise to the archbishop of St. Andrew's, and the partisans of the house of

Hamilton; they were now treated by her with great respect, and even admitted to no inconsiderable share in her favour and confidence. Kirkaldy of Grange, and the other surviving conspirators against Cardinal Beatoun, were about this time recalled by her from banishment; and through her connivance, the protestant preachers enjoyed an interval of tranquillity which was of great advantage to their cause. Soothed by these instances of the queen's moderation and humanity, the protestants abandoned the office of remonstrating to others; and the leaders of the opposite faction set them the first example of disputing the will of their sovereign.

As the queen regent felt how limited and precarious her authority was, while it depended on the poise of these contrary factions, she endeavoured to establish it on a broader and more secure foundation, by hastening the conclusion of her daughter's marriage with the dauphin. Amiable as the queen of Scots then was, in the bloom of youth, and considerable as the territories were which she would have added to the French monarchy; there did not want reasons to persuade Henry to depart from his first plan of marrying her to his son. The constable Montmorency employed all his interest to defeat an alliance which reflected so much lustre on the princes of Lorrain. He represented the impossibility of main-

taining order and tranquillity among a turbulent people, during the absence of their sovereign; and for that reason advised Henry to bestow the young queen upon one of the princes of the blood, who, by residing in Scotland, might preserve that kingdom an useful ally to France, which, by a nearer union to the crown, would become a mutinous and ungovernable province *. But at this time, the constable was a prisoner in the hands of the Spaniards, and the princes of Lorrain at the height of their glory; and their influence, seconded by the charms of the young queen, triumphed over the prudent, but envious remonstrances of their rival.

Dec. 14, 1557.] The French king accordingly applied to the parliament of Scotland, which appointed eight of its members † to represent the whole body of the nation at the marriage of the queen. Among the persons on whom the public choice conferred this honourable character, were some of the most avowed and zealous advocates for the reformation; by which may be estimated the degree of respect and popularity which that party had now attained in the kingdom. The instructions of the parliament to those commissioners still re-

* Melv. Mem. 15.

† Viz. The Archbishop of Glasgow, the Bishop of Ross, the Bishop of Orkney, the Earls of Rothes and

main *, and do honour to the wisdom and integrity of that assembly. At the same time that they manifested a laudable concern for the dignity and interest of their sovereign, with respect to the articles of marriage, they employed every precaution which prudence could dictate, for preserving the liberty and independence of the nation, and for securing the succession of the crown in the house of Hamilton.

With regard to each of these, the Scots obtained whatever satisfaction their fear or jealousy could demand. The young queen, the dauphin, and the king of France, ratified every article with the most solemn oaths, and confirmed them by deeds in form, under their hands and seals. But on the part of France, all this was one continued scene of studied and elaborate deceit. Previous to these public transactions with the Scottish deputies, Mary had been persuaded to subscribe privately three deeds, equally unjust and invalid; by which she, failing the heirs of her own body, conferred the kingdom of Scotland, with whatever inheritance or succession might accrue to it, in free gift upon the crown of France, declaring all promises to the contrary, which the necessity of her affairs, and the solicitations of her

Cassils, Lord Fleeming, Lord Seton, the Prior of St. Andrew's, and John Erskine of Dun.

* Keith, Append. 13.

subjects had extorted, or might extort from her, to be void and of no obligation*. As it gives us a proper idea of the character of the French court under Henry II. we may observe, that the king himself, the keeper of the great seals, the Duke of Guise, and the Cardinal of Lorrain, were the persons engaged in conducting this perfidious and dishonourable project. The queen of Scots was the only innocent actor in that scene of iniquity. Her youth, her inexperience, her education in a foreign country, and her deference to her uncles will, with every impartial person, vindicate her from any imputation of blame on that account.

This infamous grant, by which Mary bestowed the inheritance of her kingdom upon strangers, was concealed with the utmost care from her subjects. They seem, however, not to have been unacquainted with the intention of the French to overturn the settlement of the succession in favour of the Duke of Chatelherault. The zeal with which the archbishop of St. Andrew's opposed all the measures of the queen regent, evidently proceeded from the fears and suspicions of that prudent prelate on this head†.

* Corps Diplomat. tom. v. 21. Keith, 73.

† About this time the French seem to have had some design of reviving the Earl of Lennox's pretensions to the succession, in order to intimidate and alarm the

The marriage, however, was celebrated with great pomp, [*April* 14, 1528,] and the French, who had hitherto affected to draw a veil over their designs upon Scotland, began now to unfold their intentions without any disguise. In the treaty of marriage, the deputies had agreed that the dauphin should assume the name of King of Scotland. This they considered only as an honorary title; but the French laboured to annex to it some solid privileges and power. They insisted that the dauphin's title should be publicly recognised; that the *crown matrimonial* should be conferred upon him; and that all the rights pertaining to the husband of a queen should be vested in his person. By the laws of Scotland, a person who married an heiress kept possession of her estate during his own life, if she happened to die without children*. This was called the *courtesy of Scotland*. The French aimed at applying this rule, which takes place in private inheritances, to the succession of the kingdom; and that seems to be implied in their demand of the *crown matrimonial;* a phrase peculiar to the Scottish historians, and which they have neglected to explain. As the French had reason to expect difficulties in

Duke of Chatelherault. Haynes, 215, 219. Forbes' Collect. vol. i. 189.

* Reg. Maj. lib. ii. 58.

carrying through this measure, they began with sounding the deputies who were then at Paris. The English, in the marriage articles between their queen and Philip of Spain, had set an example to the age, of that prudent jealousy and reserve with which a foreigner should be admitted so near the throne. Full of the same ideas, the Scottish deputies had, in their oath of allegiance to the dauphin, expressed themselves with remarkable caution *. Their answer was in the same spirit, respectful, but firm, and discovered a fixed resolution of consenting to nothing that tended to introduce any alteration in the order of succession to the crown.

Four of the deputies † happening to die before they returned into Scotland, this accident was universally imputed to the effects of poison, which was supposed to have been given them by the emissaries of the house of Guise. The historians of all nations discover an amazing credulity with respect to stories of this kind, which are so well calculated to please the malignity of some men, and to gratify the love of the marvellous which is natural to all, that in every age they have been swallowed without examination, and believed contrary to reason. No wonder the Scots should easily give credit to a suspicion

* Keith, Append. 20.

† The Bishop of Orkney, the Earl of Rothes, the Earl of Cassils, and Lord Fleeming.

which received such strong colours of probability, both from their own resentment, and from the known character of the princes of Lorrain, so little scrupulous about the justice of the ends which they pursued, or of the means which they employed. For the honour of human nature, it must, however, be observed, that as we can discover no motive which could induce any man to perpetrate such a crime, so there appears no evidence to prove that it was committed. But the Scots of that age, influenced by national animosities and prejudices, were incapable of examining the circumstances of the case with calmness, or of judging concerning them with candour. All parties agreed in believing the French to have been guilty of this detestable action; and it is obvious how much this tended to increase the aversion for them which was growing among all ranks of men.

Notwithstanding the cold reception which their proposal concerning the *crown matrimonial* met with from the Scottish deputies, the French ventured to move it in parliament. The partisans of the house of Hamilton, suspicious of their designs upon the succession, opposed it with great zeal. But a party which the feeble and unsteady conduct of their leader had brought under much disreputation, was little able to withstand the influence of France, and the address of the queen regent, seconded, on this occasion, by

all the numerous adherents of the reformation. Besides, that artful princess dressed out the French demands in a less offensive garb, and threw in so many limitations as seemed to render them of small consequence. These either deceived the Scots, or removed their scruples; and in compliance to the queen, they passed an act conferring the *crown matrimonial* on the dauphin, and with the fondest credulity trusted to the frail security of words and statutes against the dangerous encroachments of power *.

The concurrence of the protestants with the queen regent in promoting a measure so acceptable to France, while the popish clergy, under the influence of the archbishop of St. Andrew's, opposed it with so much violence †, is one of those singular circumstances in the conduct of parties for which this period is so remarkable. It may be ascribed in some degree to the dexterous management of the queen, but chiefly to the moderation of those who favoured the reformation. The

* The act of parliament is worded with the utmost care, with a view to guard against any breach of the order of succession. But the duke, not relying on this alone, entered a solemn protestation to secure his own right. Keith, 76. It is plain that he suspected the French of having some intention to set aside his right of succession; and indeed if they had no design of that kind, the eagerness with which they urged their demand was childish.

† Melv. 47.

protestants were by this time almost equal to the catholics both in power and in number; and, conscious of their own strength, they submitted with impatience to that tyrannical authority with which the ancient laws armed the ecclesiastics against them. They longed to be exempted from this oppressive jurisdiction, and publicly to enjoy the liberty of professing those opinions, and of exercising that worship, which so great a part of the nation deemed to be founded in truth, and to be acceptable to the Deity. This indulgence, to which the whole weight of priestly authority was opposed, there were only two ways of obtaining. Either violence must extort it from the reluctant hand of the sovereign, or by prudent compliances they might expect it from her favour or her gratitude. The former is an expedient for the redress of grievances to which no nation has recourse suddenly; and subjects seldom venture upon resistance, which is their last remedy, but in cases of extreme necessity. On this occasion, the reformers wisely held the opposite course, and by their zeal in forwarding the queen's designs, they hoped to merit her protection. This disposition the queen encouraged to the utmost, and amused them so artfully with many promises, and some concessions, that, by their assistance, she surmounted in parliament the force of a national, and perhaps a laudable jealousy,

which would otherwise have swayed with the greater number.

Another circumstance contributed somewhat to acquire the regent such considerable influence in this parliament. In Scotland, all the bishoprics, and those abbeys which conferred a title to a seat in parliament, were in the gift of the crown *. From the time of her accession to the regency, the queen had kept in her own hands almost all those which became vacant, except such as were, to the great disgust of the nation, bestowed upon foreigners. Amongst these, her brother the Cardinal of Lorrain had obtained the abbeys of Kelso and Melross, two of the most wealthy foundations in the kingdom †. By this conduct she thinned the ecclesiastical bench ‡, which was entirely under the influence of the archbishop of St. Andrew's, and by its numbers and authority had great weight in the house, so as to render any opposition it could give of little consequence.

The Earl of Argyle, and James Stewart prior of St. Andrew's, one the most powerful, and the other the most popular leader of the protestants, were appointed to carry the crown and other ensigns of royalty to the dauphin. But from this they were diverted by the part

* See Book I. † Lesly, 202.

‡ It appears from the rolls of this parliament, which Lesly calls a very full one, that only seven bishops and sixteen abbots were present.

they were called to act in a more interesting scene, which now begins to open.

Before we turn towards this it is necessary to observe, that on the 17th of November, Mary of England finished her short but inglorious reign. Her sister Elizabeth took possession of the throne without opposition, and the protestant religion was once more established by law in England. The accession of a queen, who, under very difficult circumstances, had given strong indications of those eminent qualities, which, in the sequel, rendered her reign so illustrious, attracted the eyes of all Europe. Among the Scots, both parties observed her first motions with the utmost concern, as they easily foresaw that she would not remain long an indifferent spectator of their transactions.

Under many discouragements, and much oppression, the reformation advanced towards a full establishment in Scotland. All the low country, the most populous, and, at that time, the most warlike part of the kingdom, was deeply tinctured with the protestant opinions; and if the same impressions were not made in the more distant counties, it was owing to no want of the same dispositions among the people, but to the scarcity of preachers, whose most indefatigable zeal could not satisfy the avidity of those who desired their instructions. Among a people bred to arms, and so prone to mutiny as the Scots, and in an

age, when religious passions had taken such strong possession of the human mind, and moved and agitated it with so much violence, the peaceable and regular demeanour of so numerous a party is truly astonishing. From the death of Mr. Patrick Hamilton, the first who suffered in Scotland for the protestant religion, thirty years elapsed, and during so long a period, no violation of public order or tranquillity had proceeded from that sect *; and though roused and irritated by the most cruel excesses of ecclesiastical tyranny, they did in no instance transgress those bounds of duty which the law prescribes to subjects. Besides the prudence of their own leaders, and the protection which the queen regent, from political motives, afforded them, the moderation of the Archbishop of St. Andrew's encouraged this pacific disposition. That prelate, whose private life cotemporary writers tax with great irregularities †, governed the church, for some years, with a temper and prudence of which there are few examples in that age. But some time before the meeting of last parliament, the archbishop departed from those humane maxims by which he had hitherto regulated his conduct; and whether

* The murder of Cardinal Beatoun was occasioned by private revenge, and being contrived and executed by sixteen persons, cannot, with justice, be imputed to the whole protestant party.

† Knox, Buchanan, Keith, 208.

in spite to the queen, who had entered into so close an union with the protestants, or in compliance with the importunities of his clergy, he let loose all the rage of persecution against the reformed; sentenced to the flames an aged priest, who had been convicted of embracing the protestant opinions; and summoned several others, suspected of the same crime, to appear before a synod of the clergy, which was soon to convene at Edinburgh.

Nothing could equal the horror of the protestants at this unexpected and barbarous execution, but the zeal with which they espoused the defence of a cause that now seemed devoted to destruction. They had immediate recourse to the queen regent; and as her success in the parliament, which was then about to meet, depended on their concurrence, she not only sheltered them from the impending storm, but permitted them the exercise of their religion with more freedom than they had hitherto enjoyed. Unsatisfied with this precarious tenure by which they held their religious liberty, the protestants laboured to render their possession of it more secure and independent. With this view, they determined to petition the parliament for some legal protection against the exorbitant and oppressive jurisdiction of the ecclesiastical courts, which, by their arbitrary method of proceeding, founded in the canon law, were led to sentences the most shocking to huma-

nity, by maxims the most repugnant to justice. But the queen, who dreaded the effects of a debate on this delicate subject, which could not fail of exciting high and dangerous passions, prevailed on the leaders of the party, by new and more solemn promises of her protection, to desist from any application to parliament, where their numbers and influence would, in all probability, have procured them, if not the entire redress, at least some mitigation of their grievances.

[1559.] They applied to another assembly, to a convocation of the popish clergy, but with the same ill success which hath always attended every proposal for reformation addressed to that order of men. To abandon usurped power, to renounce lucrative error, is a sacrifice which the virtue of individuals has, on some occasions, offered to truth; but from any society of men, no such effort can be expected. The corruptions of a society, recommended by common utility, and justified by universal practice, are viewed by its members without shame or horror; and reformation never proceeds from themselves, but is always forced upon them by some foreign hand. Suitable to this unfeeling and inflexible spirit was the behaviour of the convocation in the present conjuncture. All the demands of the protestants were rejected with contempt; and the popish clergy, far from endeavouring, by any prudent concessions, to

sooth and to reconcile such a numerous body, asserted the doctrines of their church, with respect to some of the most exceptionable articles, with an ill-timed rigour, which gave new offence *.

During the sitting of the convocation, the protestants first began to suspect some change in the regent's disposition towards them. Though joined with them for many years by interest, and united, as they conceived, by the strongest ties of affection and of gratitude, she discovered, on this occasion, evident symptoms, not only of coldness, but of a growing disgust and aversion. In order to account for this, our historians do little more than produce the trite observations concerning the influence of prosperity to alter the character, and to corrupt the heart. The queen, say they, having reached the utmost point to which her ambition aspired, no longer preserved her accustomed moderation, but, with an insolence usual to the fortunate, looked down upon those by whose assistance she had been enabled to rise so high. But it is neither in the depravity of the human heart, nor in the ingratitude of the queen's disposition, that we must search for the motives of her present conduct. These were derived from another and a more remote source, which, in order to clear the subsequent transactions, we shall endeavour to open with some care.

* Keith, 81.

The ambition of the princes of Lorrain had been no less successful than daring; but all their schemes were distinguished by being vast and unbounded. Strangers at the court of France, their eminent qualities had raised them, in a short time, to an height of power superior to that of all other subjects, and had placed them on a level even with the princes of the blood themselves. The church, the army, the revenue, were under their direction. Nothing but the royal dignity remained unattained, and to a near alliance with it they were elevated by the marriage of the queen of Scots to the dauphin. In order to gratify their own vanity, and to render their niece more worthy the heir of France, they set on foot her claim to the crown of England, which was founded on pretences not unplausible.

The tragical amours and marriages of Henry VIII. are known to all the world. Moved by the caprices of his love, or of his resentment, that impatient and arbitrary monarch had divorced or beheaded four of the six queens whom he married. In order to gratify him, both his daughters had been declared illegitimate by act of parliament; and yet, with that fantastic inconsistency which distinguishes his character, he in his last will, whereby he was empowered to settle the order of succession, called both of them to the throne, upon the death of their brother Edward; and, at the same time, passing by

the posterity of his eldest sister Margaret queen of Scotland, he appointed the line of succession to continue in the descendants of his younger sister the dutchess of Suffolk.

In consequence of this destination, the validity whereof was admitted by the English, but never recognised by foreigners, Mary had reigned in England without the least complaint of neighbouring princes. But the same causes which facilitated her accession to the throne, were obstacles to the elevation of her sister Elizabeth, and rendered her possession of it precarious and insecure. Rome trembled for the catholic faith, under a protestant queen of such eminent abilities. The same superstitious fears alarmed the court of Spain; and France beheld with indignation a throne, to which the queen of Scots could form so many pretensions, occupied by a rival, whose birth, in the opinion of all good catholics, excluded her from any legal right of succession. The impotent hatred of the Roman pontiff, or the slow councils of Philip II. would have produced no sudden or formidable effect. The ardent and impetuous ambition of the princes of Lorrain, who at that time governed the court of France, was more decisive, and more to be dreaded. Instigated by them, Henry, soon after the death of Mary, persuaded his daughter-in-law, and her husband, to assume the title of king and queen of England. They affected to publish this to all

Europe. They used that style and appellation in public papers, some of which still remain *. The arms of England were engraved on their coin and plate, and borne by them on all occasions. No preparations, however, were made to support this premature and impolitic claim. Elizabeth was already seated on her throne; she possessed all the intrepidity of spirit, and all the arts of policy, which were necessary for maintaining that station. England was growing into reputation for naval power. The marine of France had been utterly neglected; and Scotland remained the only avenue by which the territories of Elizabeth could be approached. It was on that side, therefore, that the princes of Lorrain determined to make their attack †; and by using the name and pretensions of the Scottish queen, they hoped to rouse the English catholics, formidable at that time for their zeal and numbers, and exasperated to the utmost against Elizabeth, on account of the change which she had made in the national religion.

It was vain to expect the assistance of the Scottish protestants to dethrone a queen, whom all Europe esteemed the guardian and defender of the reformed faith. To break the power and reputation of that party in Scotland, became, for this reason, a necessary step towards

* Anders. Diplom. Scot. No. 68, et 164.
† Forbes, Collect. i. 253, 277.

the invasion of England. With this the princes of Lorrain resolved to open their scheme. And as persecution was the only method for suppressing religious opinions known in that age, or dictated by the despotic and sanguinary spirit of the Romish superstition, this, in its utmost violence, they determined to employ. The Earl of Argyle, the prior of St. Andrew's, and other leaders of the party, were marked out by them for immediate destruction *; and they hoped, by punishing them, to intimidate their followers. Instructions for this purpose were sent from France to the queen regent. That humane and sagacious princess condemned a measure which was equally violent and impolitic. By long residence in Scotland, she had become acquainted with the eager and impatient temper of the nation; she well knew the power, the number, and popularity of the protestant leaders; and had been a witness to the intrepid and unconquerable resolution which religious fervour could inspire. What then could be gained by rousing this dangerous spirit, which hitherto all the arts of policy had scarce been able to restrain? If it once broke loose, the authority of a regent would be little capable to subdue, or even to moderate its rage. And if, in order to quell it, foreign forces were called in, this would give the alarm to the whole nation, irritated al-

* Forbes, i. 152.

ready at the excessive power which the French possessed in the kingdom, and suspicious of all their designs. Amidst the shock which this might occasion, far from hoping to exterminate the protestant doctrine, it would be well if the whole fabric of the established church were not shaken, and perhaps overturned from the foundation. These prudent remonstrances made no impression on her brothers; precipitant, but inflexible in all their resolutions, they insisted on the full and rigorous execution of their plan. Mary, passionately devoted to the interests of France, and ready, on all occasions, to sacrifice her own opinions to the inclinations of her brothers, prepared to execute their commands with implicit submission *; and, contrary to her own judgment, and to all the rules of sound policy, she became the instrument of exciting civil commotions in Scotland, which ended with the ruin of the French power, and of the popish religion in that kingdom.

From the time of the queen's competition for the regency with the duke of Chatelherault, the popish clergy, under the direction of the archbishop of St. Andrew's, had set themselves in opposition to all her measures. Her first step towards the execution of her new scheme, was to regain their favour. Nor was this reconcilement a matter of difficulty. The popish ecclesiastics, separated from the

* Melv. 48. Mem. de Castlenau, ap. Jebb. vol. ii. 446.

rest of mankind by the law of celibacy, the boldest and most successful invention of human policy; and combined among themselves in the closest and most sacred union; have been accustomed, in every age, to sacrifice all private and particular passions to the dignity and interest of their order. Delighted, on this occasion, with the prospect of triumphing over a faction whose encroachments they had long dreaded, and animated with the hopes of re-establishing their declining grandeur on a firmer basis, they at once cancelled the memory of past injuries, and engaged to second the queen in all her attempts to check the progress of the reformation. The queen, being secure of their assistance, openly approved of the decrees of the convocation, by which the principles of the reformers were condemned; and at the same time she issued a proclamation, enjoining all persons to observe the approaching festival of Easter according to the Romish ritual.

As it was no longer possible to mistake the queen's intentions, the protestants, who saw the danger approach, in order to avert it, employed the Earl of Glencairn, and Sir Hugh Campbell of Loudon, to expostulate with her concerning this change towards severity, which their former services had so little merited, and which her reiterated promises gave them reason to expect. She, without disguise or apology, avowed to them her re-

solution of extirpating the reformed religion out of the kingdom. And, upon their urging her former engagements, with an uncourtly, but honest boldness, she so far forgot her usual moderation, as to utter a sentiment, which, however apt those of royal condition may be to entertain it, prudence should teach them to conceal with the utmost care. "The promises of princes," says she, "ought not to be too carefully remembered, nor the performance of them exacted, unless it suits their own convenicncy."

The indignation which betrayed the queen into this rash expression, was nothing in comparison of that with which she was animated, upon hearing that the public exercise of the reformed religion had been introduced into the town of Perth. At once she threw off the mask, and commanded all the protestant preachers in the kingdom to be summoned to a court of justice, which was to be held at Stirling on the 10th of May. The protestants, who, from their union, began about this time to be distinguished by the name of the CONGREGATION, were alarmed, but not intimidated by this danger, and instantly resolved not to abandon the men to whom they were indebted for the most valuable of all blessings, the knowledge of truth. At that time there prevailed in Scotland, with respect to criminal trials, a custom, introduced at first by the institutions of vassalage and clanship, and tolerated after-

wards under a feeble government: any person accused of a crime was accompanied to the place of trial by a retinue of his friends and adherents, assembled for that purpose from every corner of the kingdom. Authorised by this ancient practice, the reformed convened in great numbers to attend their pastors to Stirling. The queen dreaded their approach with a train so numerous, though unarmed, and in order to prevent them from advancing, she empowered John Erskine of Dun, a person of eminent authority with the party, to promise, in her name, that she would put a stop to the intended trial, on condition the preachers and their retinue advanced no nearer to Stirling. Erskine, being convinced himself of the queen's sincerity, served her with the utmost zeal; and the protestants, averse from proceeding to any act of violence, listened with pleasure to so pacific a proposition. The preachers, with a few leaders of the party, remained at Perth; the multitude, which had gathered from different parts of the kingdom, dispersed, and retired to their own habitations.

But notwithstanding this solemn promise, the queen, on the 10th of May, proceeded to call to trial the persons who had been summoned; and upon their non-appearance, the rigour of justice took place, and they were pronounced outlaws. By this ignoble artifice, so incompatible with regal dignity, and

so inconsistent with that integrity which should prevail in all transactions between a sovereign and his people, the queen forfeited the esteem and confidence of the whole nation. The protestants, shocked no less at the indecency with which she violated the public faith, than at the danger which threatened themselves, prepared boldly for their own defence. Erskine, enraged at having been made the instrument for deceiving his party, instantly abandoned Stirling, and repairing to Perth, added to the zeal of his associates, by his representations of the queen's inflexible resolution to suppress their religion.

The popular rhetoric of Knox powerfully seconded these representations. Knox having been carried a prisoner into France, together with the other persons taken in the castle of St. Andrew's, soon made his escape out of that country; and residing sometimes in England, sometimes in Scotland, had at last been driven out of both kingdoms by the rage of the popish clergy, and was obliged to retire to Geneva. Thence he was called by the leaders of the protestants in Scotland; and, in compliance with their solicitations, he set out for his native country, where he arrived a few days before the trial appointed at Stirling. He hurried instantly to Perth, to share with his brethren in the common danger, or to assist them in promoting the common cause. While their minds were in

that ferment, which the queen's perfidiousness and their own danger occasioned, he mounted the pulpit, and by a vehement harangue against idolatry, inflamed the multitude with the utmost rage. The indiscretion of a priest, who, immediately after Knox's sermon, was preparing to celebrate mass, and began to decorate the altar for that purpose, precipitated them into immediate action. With tumultuary, but irresistible violence, they fell upon the churches in that city, overturned the altars, defaced the pictures, broke in pieces the images; and proceeding next to the monasteries, they, in a few hours, laid those sumptuous fabrics almost level with the ground. This riotous insurrection was not the effect of any concert, or previous deliberation. Censured by the reformed preachers, and publicly condemned by the persons of most power and credit with the party, it must be regarded merely as an accidental eruption of popular rage *.

But to the queen herself these proceedings appeared in a very different light. Besides their manifest contempt for her authority, the protestants had violated every thing in religion which she esteemed venerable or holy; and on both these accounts, she determined to inflict the severest vengeance on the whole party. She had already drawn the troops in French pay to Stirling: with

* Knox, Hist. 127, 128.

these, and what Scottish forces she could levy of a sudden, she marched directly to Perth, in hopes of surprising the protestant leaders before they could assemble their followers, whom, out of confidence in her disingenuous promises, they had rashly been induced to dismiss. Intelligence of these preparations and menaces was soon conveyed to Perth. The protestants would gladly have soothed the queen by addresses, both to herself and to the persons of greatest credit in her court; but finding her inexorable, they with great vigour took measures for their own defence. Their adherents, animated with zeal for religion, and eager to expose themselves in so good a cause, flocked in such numbers to Perth, that they not only secured the town from danger, but were within a few days in a condition to take the field, and to face the queen, who advanced with an army seven thousand strong.

Neither party, however, was impatient to engage. The queen dreaded the event of a battle with men, whom the fervour of religion raised above the sense of fear or of danger. The protestants beheld with regret the Earl of Argyle, the prior of St. Andrew's, and some other eminent persons of their party, still adhering to the queen; and destitute of their aid and counsel, declined hazarding an action, the ill success of which might have proved the ruin of their cause. The

prospect of an accommodation was for these reasons highly acceptable to both sides: Argyle and the prior, who were the queen's commissioners for conducting the negociation, seem to have been sincerely desirous of reconciling the contending factions; and the Earl of Glencairn arriving unexpectedly with a powerful reinforcement to the congregation, augmented the queen's eagerness for peace. A treaty was accordingly concluded, in which it was stipulated, that both armies should be disbanded, and the gates of Perth set open to the queen; that indemnity should be granted to the inhabitants of that city, and to all others concerned in the late insurrection; that no French garrison should be left in Perth, and no French soldiers should approach within three miles of that place; and that a parliament should immediately be held, in order to compose whatever differences might still remain *.

The leaders of the congregation, distrustful of the queen's sincerity, and sensible that concessions, flowing not from inclination, but extorted by the necessity of her affairs, could not long remain in force, entered into a new association, [*May* 29,] by which they bound themselves, on the first infringement of the present treaty, or on the least appearance of danger to their religion, to re-assemble their fol-

* Keith, 89.

lowers, and to take arms in defence of what they esteemed the cause of God and of their country *.

The queen, by her conduct, demonstrated these precautions to be the result of no groundless or unnecessary fear. No sooner were the protestant forces dismissed, than she broke every article in the treaty. She introduced French troops into Perth, fined some of the inhabitants, banished others, removed the magistrates out of office, and, on her retiring to Stirling, she left behind her a garrison of six hundred men, with orders to allow the exercise of no other religion than the Roman catholic. The situation of Perth, a place at that time of some strength, and a town the most proper of any in the kingdom for the station of a garrison, seems to have allured the queen to this unjustifiable and ill-judged breach of public faith; which she endeavoured to colour, by alleging that the body of men left at Perth was entirely composed of native Scots, though kept in pay by the king of France.

The queen's scheme began gradually to unfold. It was now apparent, that not only the religion, but the liberties of the kingdom, were threatened; and that the French troops were to be employed as instruments for subduing the Scots, and wreathing the yoke about their necks. Martial as the genius of the Scots then was, the poverty of their

* Knox, 138.

country made it impossible to keep their armies long assembled; and even a very small body of regular troops might have proved formidable to the nation, though consisting wholly of soldiers. But what number of French forces were then in Scotland, at what time, and under what pretexts they returned, after having left the kingdom in the year 1550, we cannot with any certainty determine. Cotemporary historians often select with little judgment the circumstances which they transmit to posterity; and with respect to matters of the greatest curiosity and importance, leave succeeding ages altogether in the dark. We may conjecture, however, from some passages in Buchanan, that the French and Scots in French pay amounted at least to three thousand men, under the command of Mons. D'Oysel, a creature of the house of Guise; and they were soon augmented to a much more formidable number.

The queen, encouraged by having so considerable a body of well-disciplined troops at her command, and instigated by the violent counsels of D'Oysel, had ventured, as we have observed, to violate the treaty of Perth, and by that rash action once more threw the nation into the most dangerous convulsions. The Earl of Argyle and prior of St. Andrew's instantly deserted a court where faith and honour seemed to be no longer regarded.

The barons from the neighbouring counties repaired to them, the preachers roused the people to arms, and wherever they came, the same violent operations which accident had occasioned at Perth, were now encouraged out of policy. The enraged multitude was let loose, and churches and monasteries, the monuments of ecclesiastic pride and luxury, were sacrificed to their zeal.

In order to check their career, the queen, without losing a moment, put her troops in motion; but the zeal of the congregation got the start once more of her vigilance and activity. In that warlike age, when all men were accustomed to arms, and on the least prospect of danger were ready to run to them, the leaders of the protestants found no difficulty to raise an army. Though they set out from St. Andrew's with a slender train of an hundred horse, crowds flocked to their standards from every corner of the country through which they marched, and before they reached Falkland, a village only ten miles distant, they were able to meet the queen with a superior force *.

The queen, surprised at the approach of so formidable a body, which was drawn up by its leaders in such a manner as added greatly in appearance to its numbers, had again recourse to negociation. She found, however, that the preservation of the protest-

* Knox, 141.

ant religion, their zeal for which had at first roused the leaders of the congregation to take arms, was not the only object they had now in view. They were animated with the warmest love of civil liberty, which they conceived to be in imminent danger, from the attempts of the French forces; and these two passions mingling, added reciprocally to each other's strength. Together with more enlarged notions in religion, the reformation filled the human mind with more liberal and generous sentiments concerning civil government. The genius of popery is extremely favourable to the power of princes. The implicit submission to all her decrees which the Romish church exacts, prepares and breaks the mind for political servitude; and the doctrines of the reformers, by overturning the established system of superstition, weakened the firmest foundations of civil tyranny. That bold spirit of inquiry which led men to reject theological errors, accompanied them into other sciences, and discovered every where the same manly zeal for truth. A new study introduced at the same time, added greater force to the spirit of liberty. Men became acquainted with the Greek and Roman authors, who described exquisite models of free government, far superior to the inaccurate and oppressive system established by the feudal law; and produced such illustrious examples of public virtue, as wonderfully suited both

the circumstanees and spirit of that age. Many among the most eminent reformers were themselves considerable masters in ancient learning; and all of them eagerly adopted the maxims and spirit of the aneients with regard to government *. The most ardent love of liberty accompanied the protestant religion throughout all its progress; and wherever it was embraced it roused an independent spirit, whieh rendered men attentive to their privileges as subjects, and jealous of the encroachments of their sovereigns. Knox, and the other preachers of the reformation, infused generous sentiments concerning government into the minds of their hearers; and the Scottish barons, naturally free and bold, were prompted to assert their rights with more freedom and boldness than ever. Instead of obeying the queen regent, who had enjoined them to lay down their arms, they demanded not only the redress of their religious grievanees, but, as a preliminary towards settling

* The excessive admiration of ancient policy was the occasion of Knox's famous book concerning the GOVERNMENT OF WOMEN, wherein, conformable to the maxims of the ancient legislators, which modern experience has proved to be ill-founded, he pronounces the elevation of women to the supreme authority to be utterly destructive of good government. His principles, authorities, and examples, were all drawn from ancient writers. The same observation may be made with regard to Buchanan's Dialogue, DE JURE REGNI APUD SCOTOS. It is founded not on the maxims of feudal, but of ancient government.

the nation, and securing its liberties, required the immediate expulsion of the French troops out of Scotland. It was not in the queen's power to make so important a concession, without the concurrence of the French monarch; and as some time was requisite in order to obtain that, she hoped, during this interval, to receive such reinforcements from France as would insure the accomplishment of that design which she had twice attempted with unequal strength. Meanwhile, she agreed to a cessation of arms for eight days [*June* 13], and before the expiration of these engaged to transport the French troops to the other side of the Forth, and to send commissioners to St. Andrew's, who should labour to bring all differences to accommodation. As she hoped, by means of the French troops, to overawe the protestants in the southern counties, the former article in the treaty was punctually executed; the latter, having been inserted merely to amuse the congregation, was no longer remembered.

By these reiterated and wanton instances of perfidy, the queen lost all credit with her adversaries; and no safety appearing in any other course, they again took arms with more inflamed resentment, and with bolder and more extensive views. The removing of the French forces had laid open to them all the country situated between Forth and Tay. Perth alone remained subjected to the inso-

lence and exactions of the garrison which the queen had left there, and implored the assistance of the congregation for their relief. Thither they marched, and having without effect required the queen to evacuate the town, in terms of the former treaty, they prepared to besiege it in form. The queen employed the Earl of Huntly and Lord Erskine to divert them from this enterprise: but her wonted artifices were of no avail; repeated so often, they could deceive no longer; and without listening to them the protestants continued the siege, and soon obliged the garrison to capitulate.

After the loss of Perth, the queen endeavoured to seize Stirling, a place of some strength, and, from its command of the only bridge over the Forth, of great importance. But the leaders of the congregation, having intelligence of her design, prevented the execution of it, by an hasty march thither with part of their forces. The inhabitants, heartily attached to the cause, set open to them the gates of their town. Thence they advanced with the same rapidity towards Edinburgh, which the queen, on their approach, abandoned with precipitation, and retired to Dunbar.

The protestant army, wherever it came, kindled or spread the ardour of reformation, and the utmost excesses of violence were committed upon churches and monasteries. The

former were spoiled of every decoration which was then esteemed sacred, the latter were laid in ruins. We are apt, at this distance of time, to condemn the furious zeal of the reformers, and to regret the overthrow of so many stately fabrics, the monuments of our ancestors magnificence, and among the noblest ornaments of the kingdom. But amidst the violence of a reformation carried on in opposition to legal authority, some irregularities were unavoidable; and perhaps no one could have been permitted more proper to allure and interest the multitude, or more fatal to the grandeur of the established church. However absurd and ill-founded the speculative errors of popery may be, some inquiry and attention are necessary towards discovering them. The abuses and corruptions which had crept into the public worship of that church, lay more open to observation, and by striking the senses, excited more universal disgust. Under the long reign of heathenism, superstition seems to have exhausted its talent of invention, so that when a superstitious spirit seized Christians, they were obliged to imitate the heathens in the pomp and magnificence of their ceremonies, and to borrow from them the ornaments and decorations of their temples. To the pure and simple worship of the primitive Christians, there succeeded a species of splendid idolatry, nearly resembling those pagan originals

whence it had been copied. The contrariety of such observances to the spirit of Christianity, was almost the first thing, in the Romish system, which awakened the indignation of the reformers, who, applying to these the denunciations in the Old Testament against idolatry, imagined that they could not endeavour at suppressing them with too much zeal. No task could be more acceptable to the multitude than to overturn these seats of superstition; they ran with emulation to perform it, and happy was the man whose hand was most adventurous and successful in executing a work esteemed so pious. Nor did their leaders labour to restrain this impetuous spirit of reformation. Irregular and violent as its sallies were, they tended directly to that end which they had in view; for by demolishing the monasteries throughout the kingdom, and setting at liberty their wretched inhabitants, they hoped to render it impossible ever to re-edify the one, or to reassemble the other.

But amidst these irregular proceedings, a circumstance which does honour to the conduct and humanity of the leaders of the congregation deserves notice. They so far restrained the rage of their followers, and were able so to temper their heat and zeal, that few of the Roman catholics were exposed to any personal insult, and not a single man suffered death *.

* Lesly, 231.

At the same time we discover, by the facility with which these great revolutions were effected, how violently the current of national favour ran towards the reformation. No more than three hundred men marched out of Perth under the Earl of Argyle and prior of St. Andrew's *; with this inconsiderable force they advanced: but wherever they came, the people joined them in a body; their army was seldom less numerous than five thousand men; the gates of every town were thrown open to receive them; and without striking a single blow, they took possession of the capital of the kingdom. [*June* 29.]

This rapid and astonishing success seems to have encouraged the reformers to extend their views, and to rise in their demands. Not satisfied with their first claim of toleration for their religion, they now openly aimed at establishing the protestant doctrine on the ruins of popery. For this reason, they determined to fix their residence at Edinburgh; and, by their appointment, Knox and some other preachers taking possession of the pulpits, which had been abandoned by the affrightened clergy, declaimed against the errors of popery with such fervent zeal as could not fail of gaining many proselytes.

In the mean time, the queen, who had prudently given way to a torrent which she could not resist, observed with pleasure that it now

* Keith, 94.

began to subside. The leaders of the congregation had been above two months in arms, and by the expences of a campaign protracted so long beyond the usual time of service in that age, had exhausted all the money which a country where riches did not abound had been able to supply. The multitude, dazzled with their success, and concluding the work to be already done, retired to their own habitations. A few only of the more zealous or wealthy barons remained with their preachers at Edinburgh. As intelligence is procured in civil wars with little difficulty, whatever was transacted at Edinburgh was soon known at Dunbar; and the queen, regulating her own conduct by the situation of her adversaries, artfully amused them with the prospect of an immediate accommodation; while at the same time, she, by studied delays, spun out the negociations for that purpose to such a length, that, in the end, the party dwindled to an inconsiderable number, and, as if peace had been already re-established, became careless of military discipline. The queen, who watched for such an opportunity, advanced unexpectedly by a sudden march in the night with all her forces, and appearing before Edinburgh, filled that city with the utmost consternation. The protestants, weakened by the imprudent dispersion of their followers, durst not encounter the French troops in the open field,

and were even unable to defend an ill fortified town against their assaults. Unwilling, however, to abandon the citizens to the queen's mercy, they endeavoured, by facing the enemy's army, to gain time for collecting their own associates. But the queen, in spite of all their resistance, would have easily forced her way into the town, if the seasonable conclusion of a truce had not procured her admission without the effusion of blood.

Their dangerous situation easily induced the congregation to listen to any overtures of peace; and as the queen was looking daily for the arrival of a strong reinforcement from France, and expected great advantages from a cessation of arms, she also agreed to it upon no unequal conditions. Together with a suspension of hostilities from the 24th of July to the 10th of January, it was stipulated in this treaty, that, on the one hand, the protestants should abandon Edinburgh next morning; remain in dutiful subjection to the government of the queen regent; abstain from all future violation of religious houses; and give no interruption to the established clergy, either in the discharge of their functions, or in the enjoyment of their benefices. On the other hand, the queen agreed to give no molestation to the preachers or professors of the protestant religion; to allow no other form of worship in Edinburgh but the reformed; and to permit the free and public exercise of

it all over the kingdom. The queen hoped to sooth the protestants by these liberal concessions in behalf of their religion, and expected, from indulging their favourite passion, to render them more compliant with respect to other articles, particularly the expulsion of the French troops out of Scotland. The anxiety which the queen expressed for retaining this body of men, rendered them more and more the objects of national jealousy and aversion. The immediate expulsion of them was therefore demanded anew, and with greater warmth; but the queen, taking advantage of the distress of the adverse party, eluded the request, and would consent to nothing more than that a French garrison should not be introduced into Edinburgh.

The desperate state of their affairs imposed on the congregation the necessity of agreeing to this article, which, however, was very far from giving them satisfaction. Whatever apprehensions the Scots had conceived from retaining the French forces in the kingdom, were abundantly justified during the late commotions. A small body of those troops, maintained in constant pay, and rendered formidable by regular discipline, had checked the progress of a martial people, though animated with zeal both for religion and liberty. The smallest addition to their number, and a considerable one was daily expect-

ed, might prove fatal to public liberty, and Scotland might be exposed to the danger of being reduced, from an independent kingdom, to the mean condition of a province annexed to the empire of its powerful ally.

In order to provide against this imminent calamity, the Duke of Chatelherault and Earl of Huntly, immediately after concluding the truce, desired an interview with the chiefs of the congregation. These two noblemen, the most potent at that time in Scotland, were the leaders of the party which adhered to the established church. They had followed the queen during the late commotions, and having access to observe more narrowly the dangerous tendency of her councils, their abhorrence of the yoke which was preparing for their country surmounted all other considerations, and determined them rather to endanger the religion which they professed, than to give their aid towards the execution of her pernicious designs. They proceeded farther, and promised to Argyle, Glencairn, and the prior of St. Andrew's, who were appointed to meet with them, that if the queen should, with her usual insincerity, violate any article in the treaty of truce, or refuse to gratify the wishes of the whole nation, by dismissing her French troops, they would then instantly join with their countrymen in compelling her to a measure which the public safety, and the

preservation of their liberties, rendered necessary *.

[*July* 8.] About this time died Henry II. of France, just when he had adopted a system, with regard to the affairs of Scotland, which would, in all probability, have restored union and tranquillity to that kingdom †. Towards the close of his reign, the princes of Lorrain began visibly to decline in favour, and the Constable Montmorency, by the assistance of the Duchess of Valentinois, recovered that ascendant over the spirit of his master, which his great experience, and his faithful, though often unfortunate services, seemed justly to merit. That prudent minister imputed the insurrections in Scotland wholly to the Duke of Guise and the Cardinal of Lorrain, whose violent and precipitant councils could not fail of transporting, beyond all bounds of moderation, men whose minds were possessed with that jealousy which is inseparable from the love of civil liberty, or inflamed with that ardour which accompanies religious zeal. And in order to convince Henry that he did not load his rivals with any groundless accusation, he prevailed to have Melvil ‡, a Scottish gentleman of his retinue, dispatched into his native country with instructions to observe the motions both of the regent and of

* Knox, 154. † Mel. 49.
‡ The Author of the Memoirs.

her adversaries; and the king agreed to regulate his future proceedings in that kingdom by Melvil's report.

Did history indulge herself in such speculations, it would be amusing to inquire what a different direction might have been given by this resolution to the national spirit; and to what a different issue Melvil's report, which would have set the conduct of the malecontents in the most favourable light, might have conducted the public disorders. Perhaps by gentle treatment and artful policy the progress of the reformation might have been checked, and Scotland brought to depend upon France. Perhaps, by gaining possession of this avenue, the French might have made their way into England, and, under colour of supporting Mary's title to the crown, they might have re-established the Roman catholic religion, and destroyed the liberties of that kingdom. But into this boundless field of fancy and conjecture the historian must make no excursions: to relate real occurrences, and to explain their real causes and effects, is his peculiar and only province.

The tragical and untimely death of the French monarch, put an end to all moderate and pacific measures with regard to Scotland. The Duke of Guise, and the cardinal his brother, upon the accession of Francis II. a prince void of genius, and without experience, assumed the chief direction of French

affairs. Allied so nearly to the throne, by the marriage of their niece the queen of Scots to the young king, they now wanted but little of regal dignity, and nothing of regal power. This power did not long remain inactive in their hands. The same vast schemes of ambition which they had planned out under the former reign, were again resumed; and they were enabled, by possessing such ample authority, to pursue them with more vigour, and greater probability of success. They beheld with infinite regret the progress of the protestant religion in Scotland; and sensible what an unsurmountable obstacle it would prove to their designs, they bent all their strength to check its growth before it rose to any greater height. For this purpose, they carried on their preparations with all possible expedition, and encouraged the queen their sister to expect in a short time the arrival of an army so powerful, as the zeal of their adversaries, however desperate, would not venture to oppose.

Nor were the lords of the congregation either ignorant of these violent counsels which prevailed in the court of France since the death of Henry, or careless of providing against the danger which threatened them from that quarter. The success of their cause, as well as their personal safety, depending entirely on the unanimity and vigour of their own resolutions, they endea-

voured to guard against division, and to cement together more closely, by entering into a stricter bond of confederacy and mutual defence. Two persons concurred in this new association, who brought a great accession both of reputation and of power to the party. These were the Duke of Chatelherault, and his eldest son the Earl of Arran. This young nobleman, having resided some years in France, where he commanded the Scots Guards, had imbibed the protestant opinions concerning religion. Hurried along by the heat of youth, and the zeal of a proselyte, he had uttered sentiments, with respect to the points in controversy, which did not suit the temper of a bigotted court, intent, at that juncture, on the extinction of the protestant religion; in order to accomplish which, the utmost excesses of violence were committed. The church was suffered to wreck its utmost fury upon all who were suspected of heresy. Courts were erected in different parts of France to take cognizance of this crime, and by their sentences several persons of distinction were condemned to the flames.

But in order to inspire more universal terror, the princes of Lorrain resolved to select, for a sacrifice, some person whose fall might convince all ranks of men, that neither splendour of birth, nor eminence in station, would exempt from punishment those who

should be guilty of this unpardonable transgression. The Earl of Arran was the person destined to be the unhappy victim *. As he was allied to one throne, and the presumptive heir to another; as he possessed the first rank in his own country, and enjoyed an honourable station in France; his condemnation could not fail of making the desired impression on the whole kingdom. But the Cardinal of Lorrain having let fall some expressions which raised the Earl of Arran's suspicions of the design, he escaped the intended blow by a timely flight. Indignation, zeal, resentment, all prompted him to seek revenge upon these persecutors of himself and of the religion which he professed; and as he passed through England, on his return to his native country, Elizabeth, by hopes and promises, inflamed those passions, and sent him back into Scotland animated with the same implacable aversion for France which possessed a great part of his countrymen. He quickly communicated these sentiments to his father the Duke of Chatelherault, who was already extremely disgusted with the measures carrying on in Scotland; and as it was the fate of that nobleman to be governed in every instance by those about him, he now suffered himself to be drawn from the queen regent; and having joined

* Thuan. lib. xxiv. p. 462. Edit. Francof.

the congregation, was considered from that time as the head of the party.

But with respect to him, this distinction was merely nominal. James Stewart, prior of St. Andrew's, was the person who moved and actuated the whole body of the protestants, among whom he possessed that unbounded confidence which his strenuous adherence to their interest, and his eminent abilities, so justly merited. He was the natural son of James V. by a daughter of Lord Erskine; and as that amorous monarch had left several others a burden upon the crown, they were all destined for the church, where they could be placed in stations of dignity and affluence. In consequence of this resolution, the priory of St. Andrew's had been conferred upon James: but during so busy a period, he soon became disgusted with the indolence and retirement of a monastic life; and his enterprising genius called him forth to act a principal part on a more public and conspicuous theatre. The scene on which he appeared required talents of different kinds; and military virtue and political discernment were equally necessary in order to render him illustrious. These he possessed in an eminent degree. To the most unquestionable personal bravery, he added great skill in the art of war, and in every enterprise his arms were crowned with success. His sagacity

and penetration in civil affairs enabled him, amidst the reeling and turbulence of factions, to hold a prosperous course; while his boldness in defence of the reformation, together with the decency, and even severity of his manners, secured him the reputation of being sincerely attached to religion, without which, it was impossible, in that age, to gain an ascendant over mankind.

It was not without reason that the queen dreaded the enmity of a man so capable to obstruct her designs. And as she could not, with her utmost address, make the least impression on his fidelity to his associates, she endeavoured to lessen his influence, and to scatter among them the seeds of jealousy and distrust, by insinuating that the ambition of the prior aspired beyond the condition of a subject, and aimed at nothing less than the crown itself.

An accusation so improbable gained but little credit; and whatever thoughts of this kind the presumption of unexpected success, and his elevation to the highest dignity in the kingdom, may be alleged to have inspired at any subsequent period, it is certain that at this juncture he could form no such vast design. To dethrone a queen who was lineal heir to an ancient race of monarchs; who had been guilty of no action by which she could forfeit the esteem and affection of her subjects; who could employ, in defence of

her rights, the forces of a kingdom much more powerful than her own; and to substitute in her place a person, whom the illegitimacy of his birth, by the practice of all civilized nations, rendered incapable of any inheritance either public or private; was a project so chimerical, as the most extravagant ambition would scarce entertain, and could never conceive to be practicable. The promise too, which the prior made to Melvil, of residing contsantly in France, on condition the public grievances were redressed *; the confidence reposed in him by the Duke of Chatelherault and his son, the presumptive heirs to the crown; and the concurrence of almost the whole Scottish nobles, in promoting those measures by which he gave offence to the French court, go far towards his vindication from those illegal and criminal designs, with the imputation of which the queen endeavoured at that time to load him.

The arrival of a thousand French soldiers compensated, in some degree, for the loss which the queen sustained by the defection of the Duke of Chatelherault. These were immediately commanded to fortify Leith, in which place, on account of its commodious harbour, and its situation in the neighbourhood of Edinburgh, and in the heart of a plentiful country, the queen resolved to fix

* Melvil, 54.

the head-quarters of her foreign forces. This unpopular measure, by the manner of executing it, was rendered still more unpopular. In order to bring the town entirely under their command, the French turned out a great part of the ancient inhabitants, and taking possession of the houses, which they had obliged them to abandon, presented to the view of the Scots two objects equally irritating and offensive; on the one hand, a number of their countrymen expelled their habitations by violence, and wandering without any certain abode; on the other, a colony of foreigners, settling, with their wives and children, in the heart of Scotland, growing into strength by daily reinforcements, and openly preparing a yoke, to which, without some timely exertion of national spirit, the whole kingdom must of necessity submit.

It was with the utmost concern that the lords of the congregation beheld this bold and decisive step taken by the queen regent; nor did they hesitate a moment whether they should employ their whole strength in one generous effort to rescue their religion and liberty from impending destruction. But in order to justify their own conduct, and to throw the blame entirely on their adversaries, they resolved to preserve the appearances of decency and respect towards their superiors, and to have no recourse to arms without the most urgent and apparent necessi-

ty. They joined, with this view, in an address to the regent, [*Sept.* 29], representing, in the strongest terms, their dissatisfaction with the measures she was pursuing, and beseeching her to quiet the fears and jealousies of the nation, by desisting from fortifying Leith. The queen, conscious of her present advantageous situation, and elated with the hopes of fresh succours, was in no disposition for listening to demands utterly inconsistent with her views, and urged with that bold importunity which is so little acceptable to princes.

The suggestions of her French counsellors contributed, without doubt, to alienate her still farther from any scheme of accommodation. As the queen was ready on all occasions to discover an extraordinary deference for the opinions of her countrymen, her brothers, who knew her secret disapprobation of the violent measures they were driving on, took care to place near her such persons as betrayed her, by their insinuations, into many actions which her own unbiassed judgment would have highly condemned. And as their success in the present juncture, when all things were hastening towards a crisis, depended entirely on the queen's firmness, the princes of Lorrain did not trust wholly to the influence of their ordinary agents; but, in order to add the greater weight to their counsels, they called

in aid the ministers of religion; and, by the authority of their sacred character, they hoped effectually to recommend to their sister that system of severity which they had espoused*. With this view, but under the pretext of confounding the protestants by the skill of such able masters in controversy, they appointed several French divines to reside in Scotland. At the head of these, and with the character of legate from the pope, was Pelleve Bishop of Amiens, and afterwards Archbishop and Cardinal of Sens, a furious bigot, servilely devoted to the house of Guise, and a proper instrument for recommending or executing the most outrageous measures.

Amidst the noise and danger of civil arms, these doctors had little opportunity to display their address in the use of their theological weapons. But they gave no small offence to the nation by one of their actions. They persuaded the queen to seize the church of St. Giles in Edinburgh, which had remained, ever since the late truce, in the hands of the protestants; and having, by a new and solemn consecration, purified the fabric from the pollution with which they supposed the profane ministrations of the protestants to have defiled it, they, in direct contradiction to one article in the late treaty, re-established there the rites of the Romish

* Lesly, 215. Castelnau. ap. Jebb. vol. ii. 446. 473.

church. This, added to the indifference, and even contempt, with which the queen received their remonstrances, convinced the lords of the congregation, that it was not only vain to expect any redress of their grievances at her hands, but absolutely necessary to take arms in their own defence.

The eager and impetuous spirit of the nation, as well as every consideration of good policy, prompted them to take this bold step without delay. It was but a small part of the French auxiliaries which had as yet arrived. The fortifications of Leith, though advancing fast, were still far from being complete. Under these circumstances of disadvantage, they conceived it possible to surprise the queen's party, and by one sudden and decisive blow to prevent all future bloodshed and contention. Full of these expectations, they advanced rapidly towards Edinburgh with a numerous army, [*Oct.* 16]. But it was no easy matter to deceive an adversary so vigilant and attentive as the queen regent. With her usual sagacity, she both foresaw the danger, and took the only proper course to avoid it. Instead of keeping the field against enemies, superior in number, and formidable on a day of battle by the ardour of their courage, she retired into Leith, and determined patiently to wait the arrival of new reinforcements. Slight and unfinished as the fortifications of that town

then were, she did not dread the efforts of an army, provided neither with heavy cannon nor with military stores, and utterly ignorant of the method of attacking any place fortified with more art than those ancient towers erected all over the kingdom, in defence of private property, against the incursions of banditti.

Nor did the queen mean while neglect to have recourse to those arts which she had often employed to weaken or divide her adversaries. By private solicitations and promises, she shook the fidelity, or abated the ardour of some. By open reproach and accusation, she blasted the reputation, and diminished the authority of others. Her emissaries were every where at work, and, notwithstanding the zeal for religion and liberty which then animated the nation, they seem to have laboured not without success. We find Knox, about this period, abounding in complaints of the lukewarm and languid spirit which had begun to spread among his party *. But if their zeal slackened a little, and suffered a momentary intermission, it soon blazed up with fresh vigour, and rose to a greater height than ever.

The queen herself gave occasion to this, by the reply which she made to a new remonstrance from the lords of the congregation. Upon their arrival at Edinburgh, they once more

* Knox, 18.

represented to her the dangers arising from the increase of the French troops, the fortifying of Leith, and her other measures, which they conceived to be destructive to the peace and liberty of the kingdom; and in this address, they spoke in a firmer tone, and avowed, more openly than ever, their resolution of proceeding to the utmost extremities, in order to put a stop to such dangerous encroachments. To a remonstrance of this nature, and urged with so much boldness, the queen replied in terms no less vigorous and explicit. She pretended that she was not accountable to the confederate nobles for any part of her conduct; and upon no representation of theirs would she either abandon measures which she deemed necessary, or dismiss forces which she found useful, or demolish a fortification which might prove of advantage. At the same time she required them, on pain of treason, to disband the forces which they had assembled.

This haughty and imperious style sounded harshly to Scottish nobles, impatient, from their national character, of the slightest appearance of injury; accustomed, even from their own monarchs, to the most respectful treatment; and possessing, under an aristocratical form of government, such a share of power as equalled at all times, and often controlled that of the sovereign. They were sensible at once of the indignity offered to

themselves, and alarmed with this plain declaration of the queen's intentions; and as there now remained but one step to take, they wanted neither public spirit nor resolution to take it.

But that they might not seem to depart from the established forms of the constitution, for which, even amidst their most violent operations, men always retain the greatest reverence, they assembled the whole peers, barons, and representatives of boroughs who adhered to their party, [*Oct.* 21]. These formed a convention, which exceeded in number, and equalled in dignity, the usual meetings of parliament. The leaders of the congregation laid before them the declaration which the queen had given in answer to their remonstrance; represented the unavoidable ruin which the measures she therein avowed and justified would bring upon the kingdom; and requiring their direction with regard to the obedience due to an administration so unjust and oppressive, they submitted to their decision a question, one of the most delicate and interesting that can possibly fall under the consideration of subjects.

This assembly proceeded to decide with no less dispatch than unanimity. Strangers to those forms which protract business; unacquainted with the arts which make a figure in debate; and much more fitted for action

than discourse; a warlike people always hasten to a conclusion, and bring their deliberations to the shortest issue. It was the work but of one day, to examine and to resolve this nice problem, concerning the behaviour of subjects towards a ruler who abuses his power. But however abrupt their proceedings may appear, they were not destitute of solemnity. As the determination of the point in doubt was conceived to be no less the office of divines than of laymen, the former were called to assist with their opinion. Knox and Willox appeared for the whole order, and pronounced, without hesitation, both from the precepts and examples in scripture, that it was lawful for subjects not only to resist tyrannical princes, but to deprive them of that authority, which in their hands becomes an instrument for destroying those whom the Almighty ordained them to protect. The decision of persons revered so highly for their sacred character, but more for their zeal and their piety, had great weight with the whole assembly. Not satisfied with the common indiscriminate manner of signifying consent, every person present was called in his turn to declare his sentiments, and rising up in order, all gave their suffrages, without one dissenting voice, for depriving the queen of the office of regent, which she had exercised so much to the detriment of the kingdom*.

* Knox, 184.

This extraordinary sentence was owing no less to the love of liberty, than zeal for religion. In the act of deprivation, religious grievances are slightly mentioned; and the dangerous encroachments of the queen upon the civil constitution are produced, by the lords of the congregation, in order to prove their conduct to have been not only just but necessary. The introducing foreign troops into a kingdom at peace with all the world; the seizing and fortifying towns in different parts of the country; the promoting strangers to offices of great power and dignity; the debasing the current coin *; the subverting the ancient laws; the imposing of new and burdensome taxes; and the attempting to subdue the kingdom and to oppress its liberties, by open and repeated acts of violence, are enumerated at great length, and placed in the strongest light. On all these

* The standard of money in Scotland was continually varying. In the 16th of James V. A. D. 1529, a pound weight of gold, when coined, produced one hundred and eight pounds of current money. But under the queen regent's administration, A. D. 1556, a pound weight of gold, although the quantity of alloy was considerably increased, produced one hundred and forty-four pounds current money. In 1529, a pound weight of silver, when coined, produced nine pounds two shillings; but in 1556, it produced thirteen pounds current money. Ruddim. Præfat. ad Anders. Diplomat. Scotiæ, p. 80, 81. from which it appears that this complaint, which the malecontents often repeated, was not altogether destitute of foundation.

accounts, the congregation maintained, that the nobles, as counsellors to their monarchs, and the guardians and defenders of the constitution, had a right to interpose; and therefore, by virtue of this right, in the name of the king and queen, and with many expressions of duty and submission towards them, they deprived the queen regent of her office, and ordained, that, for the future, no obedience should be given to her commands*.

Violent as this action may appear, there wanted not principles in the constitution, nor precedents in the history of Scotland, to justify and to authorise it. Under the aristocratical form of government established among the Scots, the power of the sovereign was extremely limited. The more considerable nobles were themselves petty princes, possessing extensive jurisdictions, almost independent of the crown, and followed by numerous vassals, who, in every contest, espoused their chieftain's quarrel, in opposition to the king. Hence the many instances of the impotence of regal authority, which are to be found in the Scottish history. In every age, the nobles not only claimed, but exercised the right of controlling the

† M. Castelnau, after condemning the dangerous councils of the princes of Lorrain with regard to the affairs of Scotland, acknowledges, with his usual candour, that the Scots declared war against the queen regent, rather from a desire of vindicating their civil liberties, than from any motive of religion. Mem. 446.

king. Jealous of their privileges, and eager to take the field in defence of them, every error in administration was observed, every encroachment upon the rights of the aristocracy excited indignation, and no prince ever ventured to transgress the boundaries which the law had prescribed to prerogative, without meeting resistance, which shook or overturned his throne. Encouraged by the spirit of the constitution, and countenanced by the example of their ancestors, the lords of the congregation thought it incumbent on them, at this juncture, to inquire into the mal-administration of the queen regent, and to preserve their country from being enslaved or conquered, by depriving her of the power to execute such a pernicious scheme *.

* The act of deprivation, and a letter from the lords of the congregation to the queen regent, are still extant. Knox, 184. They discover not only that masculine and undaunted spirit natural to men capable of so bold a resolution, but are remarkable for a precision and vigour of expression, which we are surprised to meet with in an age so unpolished. The same observation may be made with respect to the other public papers of that period. The ignorance or bad taste of an age may render the compositions of authors by profession obscure, or affected, or absurd; but the language of business is nearly the same at all times; and wherever men think clearly, and are thoroughly interested, they express themselves with perspicuity and force.

THE

HISTORY

OF

SCOTLAND.

BOOK THIRD.

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THE lords of the congregation soon found, that their zeal had engaged them in an undertaking which it was beyond their utmost ability to accomplish. The French garrison, despising their numerous but irregular forces, refused to surrender Leith, and to depart out of the kingdom; nor were they sufficiently skilful in the art of war to reduce the place by force, or possessed of the ar-

tillery, or magazines, requisite for that purpose; and their followers, though of undaunted courage, yet being accustomed to decide every quarrel by a battle, were strangers to the fatigues of a long campaign, and soon became impatient of the severe and constant duty which a siege requires. The queen's emissaries, who found it easy to mingle with their countrymen, were at the utmost pains to heighten their disgust, which discovered itself at first in murmurs and complaints, but, on occasion of the want of money for paying the army, broke out into open mutiny. The most eminent leaders were scarce secure from the unbridled insolence of the soldiers; while some of inferior rank interposing too rashly in order to quell them, were torn in pieces by their rage. Discord, consternation, and perplexity, reigned in the camp of the reformers. The duke, their general, sunk with his usual timidity under the terror of approaching danger, and discovered manifest symptoms of repentance for his rashness, in espousing such a desperate cause.

In this situation of their affairs, the congregation had recourse to Elizabeth, from whose protection they could derive the only reasonable hopes of their success. Some of their more sagacious leaders having foreseen that the party might probably be involved in great difficulties, had endeavoured to secure a re-

source in any such exigency, by entering into a secret correspondence with the court of England *. Elizabeth, aware of the dangerous designs which the princes of Lorrain had formed against her crown, was early sensible of how much importance it would be not only to check the progress of the French in Scotland, but to extend her own influence in that kingdom †; and perceiving how effectually the present insurrections would contribute to retard or defeat the schemes formed against England, she listened with pleasure to these applications of the malecontents, and gave them private assurances of powerful support to their cause. Randolph ‡, an agent extremely proper for conducting any dark intrigue, was dispatched into Scotland, and residing secretly among the lords of the congregation, observed and quickened their motions. Money seemed to be the only thing they wanted at that time; and it was owing to a seasonable remittance from England §, that the Scottish nobles had been able to take the field, and to advance towards Leith. But as Elizabeth was distrustful of the Scots, and studious to preserve appearances with France, her subsidies were bestowed at first with extreme frugality. The subsistence of an army, and the expences of a siege, soon ex-

* Burn. Hist. Ref. 3. Append. 278. Keith, Append. 21.
† See Append. 1. ‡ Keith, Append. 29.
§ Knox, 214. Keith, Append. 44.

hausted this penurious supply, to which the lords of the congregation could make little addition from their own funds; and the ruin and dispersion of the party must have instantly followed.

In order to prevent this, Cockburn of Ormiston was sent with the utmost expedition to the governors of the town and castle of Berwick. As Berwick was at that time the town of the greatest importance to the Scottish frontier, Sir Ralph Sadler and Sir James Crofts, persons of considerable figure, were employed to command there, and were entrusted with a discretionary power of supplying the Scottish malecontents, according to the exigency of their affairs. From them Cockburn received four thousand crowns, but little to the advantage of his party. The Earl of Bothwell, by the queen's instigation, lay in wait for him on his return, dispersed his followers, wounded him, and carried off the money.

This unexpected disappointment proved fatal to the party. In mere despair some of the more zealous attempted to assault Leith, but the French beat them back with disgrace, seized their cannon, and pursuing them to the gates of Edinburgh, were on the point of entering along with them. All the terror and confusion which the prospect of pillage or of massacre can excite in a place taken by storm, filled the city on this occa-

sion. The inhabitants fled from the enemy by the opposite gate; the forces of the congregation were irresolute and dismayed; and the queen's partisans in the town openly insulted both. At last, a few of the nobles ventured to face the enemy, who, after plundering some houses in the suburbs, retired with their booty, and delivered the city from this dreadful alarm.

A second skirmish, which happened a few days after, was no less unfortunate. The French sent out a detachment to intercept a convoy of provisions which was designed for Edinburgh. The lords of the congregation having intelligence of this, marched in all haste with a considerable body of their troops, and falling upon the enemy between Restalrig and Leith, with more gallantry than good conduct, were almost surrounded by a second party of French, who advanced in order to support their own men. In this situation a retreat was the only thing which could save the Scots; but a retreat over marshy ground, and in the face of an enemy superior in number, could not long be conducted with order. A small body of the enemy hung upon their rear, horse and foot fell into the utmost confusion, and it was entirely owing to the caution of the French, that any of the party escaped being cut in pieces.

On this second blow, the hopes and spirits of the congregation sunk altogether. They did not think themselves secure even within the walls of Edinburgh, but instantly determined to retire to some place at a greater distance from the enemy. In vain did the prior of St. Andrew's and a few others oppose this cowardly and ignominious flight. The dread of the present danger prevailed over both the sense of honour and zeal for the cause. At midnight, [*Nov.* 6,] they set out from Edinburgh, in great confusion, and marched without halting till they arrived at Stirling.

During this last insurrection, the great body of the Scottish nobles joined the congregation. The Lords Seton and Borthwick were the only persons of rank who took arms for the queen, and assisted her in defending Leith*. Bothwell openly favoured her cause, but resided at his own house. The Earl of Huntly, conformable to the crafty policy which distinguishes his character, amused the leaders of the congregation, whom he had engaged to assist, with many fair promises, but never joined them with a single man †. The Earl of Morton, a member of the congregation, fluctuated in a state of irresolution, and did not act heartily for the common cause. Lord Erskine, governor of Edinburgh castle, though a protestant, maintained a neutrality, which he esteemed becoming the dignity of his office;

* Keith, Append. 31. † Ibid. Append. 33. Knox, 222.

and having been entrusted by parliament with the command of the principal fortress in the kingdom, he resolved that neither faction should get it into their hands.

A few days before the retreat of the congregation the queen suffered an irreparable loss by the defection of her principal secretary, William Maitland of Lethington. His zeal for the reformed religion, together with his warm remonstrances against the violent measures which the queen was carrying on, exposed him so much to her resentment, and to that of her French counsellors, that he, suspecting his life to be in danger, withdrew secretly from Leith, and fled to the lords of the congregation †; and they with open arms received a convert, whose abilities added both strength and reputation to their cause. Maitland had early applied to public business admirable natural talents, improved by an acquaintance with the liberal arts; and, at a time of life when his countrymen of the same quality were following the pleasures of the chace, or serving as adventurers in foreign armies, he was admitted into all the secrets of the cabinet, and put upon a level with persons of the most consummate experience in the management of affairs. He possessed in an eminent degree that intrepid spirit which delights in pursuing bold designs, and was no less master of that political art and dex-

* Knox, 192.

terity which is necessary for carrying them on with success. But these qualities were deeply tinctured with the neighbouring vices. His address sometimes degenerated into cunning; his acuteness bordered upon excess of subtlety and refinement; his invention, over fertile, suggested to him, on some occasions, chimerical systems of policy, little suitable to the genius of the age; and his enterprising spirit engaged him in projects vast and splendid, but beyond his utmost power to execute. All the cotemporary writers, to whatever faction they belong, mention him with an admiration which nothing could have excited but the greatest superiority of penetration and abilities.

The precipitate retreat of the congregation increased to such a degree the terror and confusion which had seized them at Edinburgh, that before they reached Stirling their army dwindled to an inconsiderable number. The spirit of Knox, however, still remained undaunted and erect; and having mounted the pulpit, he addressed to his desponding hearers an exhortation which wonderfully animated and revived them. The heads of this discourse are inserted in his history *, and afford a striking example of the boldness and freedom of reproof assumed by the first reformers, as well as a specimen of his own skill in choosing the topics most fitted to influence and rouse his audience.

* Knox, 193.

A meeting of the leaders being called, to consider what course they should hold, now that their own resources were all exhausted, and their destruction appeared to be unavoidable without foreign aid, they turned their eyes once more to England, and resolved to implore the assistance of Elizabeth towards finishing an enterprise, in which they had so fatally experienced their own weakness, and the strength of their adversaries. Maitland, as the most able negociator of the party, was employed in this embassy. In his absence, and during the inactive season of the year, it was agreed to dismiss their followers, worn out by the fatigues of a campaign which had so far exceeded the time of service usual in that age. But, in order to preserve the counties most devoted to their interest, the prior of St. Andrew's, with part of the leaders, retired into Fife. The Duke of Chatelherault, with the rest, fixed his residence at Hamilton. There was little need of Maitland's address or eloquence to induce Elizabeth to take his country under her protection. She observed the prevalence of the French councils, and the progress of their arms in Scotland, with great concern; and as she well foresaw the dangerous tendency of their schemes in that kingdom, she had already come to a resolution with regard to the part she herself would act, if their power there should grow still more formidable.

In order to give the queen and her privy council a full and distinct view of any important matter which might come before them, it seems to have been the practice of Elizabeth's ministers to prepare memorials, in which they clearly stated the point under deliberation, laid down the grounds of the conduct which they held to be most reasonable, and proposed a method for carrying their plan into execution. Two papers of this kind, written by Sir William Cecil with his own hand, still remain *; they are intitled, "A short discussion of the weighty matter of Scotland," and do honour to the industry and penetration of that great minister. The motives which determined the queen to espouse so warmly the defence of the congregation, are represented with perspicuity and force; and the consequences of suffering the French to establish themselves in Scotland, are predicted with great accuracy and discernment.

He lays it down as a principle, agreeable to the laws both of God and of nature, that every society hath a right to defend itself, not only from present dangers, but from such as may probably ensue; to which he adds, that nature and reason teach every prince to defend himself by the same means which his adversaries employ to distress him. Upon these grounds, he establishes the right of

* Burn. vol. iii. Append. 283. Keith, Append. 24.

England to interpose in the affairs of Scotland, and to prevent the conquest of that kingdom, at which the French openly aimed. The French, he observes, are the ancient and implacable enemies of England. Hostilities had subsisted between the two nations for many centuries. No treaty of peace into which they entered had ever been cordial or sincere. No good effect was therefore to be expected from the peace lately agreed upon, which, being extorted by present necessity, would be negligently observed, and broken on the slightest pretences. In a very short time, France would recover its former opulence; and though now drained of men and money by a tedious and unsuccessful war, it would quickly be in a condition for acting, and the restless and martial genius of the people would render action necessary. The princes of Lorrain, who at that time had the entire direction of French affairs, were animated with the most virulent hatred against the English nation. They openly called in question the legitimacy of the queen's birth; and by advancing the title and pretensions of their niece the queen of Scotland, studied to deprive Elizabeth of her crown. With this view, they had laboured to exclude the English from the treaty of Chateau en Cambresis, and endeavoured to conclude a separate peace with Spain. They had persuaded Henry II. to permit his daughter-in-law to assume the

title and arms of queen of England; and even since the conclusion of the peace, they had solicited at Rome, and obtained, a bull declaring Elizabeth's birth to be illegitimate. And though the wisdom and moderation of the Constable Montmorency had for some time checked their career, yet these restraints being now removed by the death of Henry II. and the disgrace of his minister, the utmost excesses of violence were to be dreaded from their furious ambition, armed with sovereign power. Scotland is the quarter whence they can attack England with most advantage. A war on the borders of that country exposes France to no danger; but one unsuccessful action there may hazard the crown, and overturn the government of England. In political conduct, it is childish to wait till the designs of an enemy be ripe for execution. The Scottish nobles, after their utmost efforts, have been obliged to quit the field; and far from expelling the invaders of their liberties, they behold the French power daily increasing, and must at last cease from struggling any longer in a contest so unequal. The invading of England will immediately follow the reduction of the Scottish malecontents, by the abandoning of whom to the mercy of the French, Elizabeth will open a way for her enemies into the heart of her own kingdom, and expose it to the calamities of war, and the danger of conquest. No-

thing therefore remained but to meet the enemy while yet at a distance from England, and, by supporting the congregation with a powerful army, to render Scotland the theatre of the war, to crush the designs of the princes of Lorrain in their infancy, and, by such an early and unexpected effort, to expel the French out of Britain, before their power had time to take root and grow up to any formidable height. But as the matter was of as much importance as any which could fall under the consideration of an English monarch, wisdom and mature counsel were necessary in the first place, and afterwards vigour and expedition in conduct: the danger was urgent, and, by losing a single moment, might become unavoidable *.

These arguments produced their full effect upon Elizabeth, who was jealous, in an extreme degree, of every pretender to her crown, and no less anxious to preserve the tranquillity and happiness of her subjects. From these motives she had acted, in granting the congregation an early supply of money; and from the same principles she determined, in their present exigency, to afford them more effectual aid. One of Maitland's attendants was instantly dispatched into Scotland with the strongest assurances of her pro-

* The arguments which the Scots employed, in order to obtain Elizabeth's assistance, are urged with great force, in a paper of Maitland's. See Appendix, No. II.

tection; and the lords of the congregation were desired to send commissioners into England, to conclude a treaty, and to settle the operations of the campaign, with the Duke of Norfolk *.

Mean while, the queen regent, from whom no motion of the congregation could long be concealed, dreaded the success of this negociation with the court of England, and foresaw how little she would be able to resist the united efforts of the two kingdoms. For this reason, she determined, if possible, to get the start of Elizabeth; and by venturing, notwithstanding the inclemency of the winter season, to attack the malecontents in their present dispersed and helpless situation, she hoped to put an end to the war before the arrival of their English allies.

A considerable body of her French forces, who were augmented, about this time, by the arrival of the Count de Martigues, with a thousand veteran foot and some cavalry, were commanded to march to Stirling. Having there crossed the Forth, they proceeded along the coast of Fife, destroying and plundering, with excessive outrage, the houses and lands of those whom they esteemed their enemies. Fife was the most populous and powerful county in the kingdom, and most devoted to the congregation, who had hitherto drawn from thence their most considerable

* Keith, 114.

supplies, both of men and provisions; and therefore, besides punishing the disaffection of the inhabitants, by pillaging the country, the French proposed to seize and fortify St. Andrew's, and to leave there a garrison sufficient to bridle the mutinous spirit of the province, and to keep possession of a port situated on the main ocean.

But on this occasion, the prior of St. Andrew's, Lord Ruthven, Kirkaldy of Grange, and a few of the most active leaders of the congregation, performed by their bravery and good conduct a service of the utmost importance to their party. Having assembled six hundred horse, they infested the French with continual incursions, beat up their quarters, intercepted their convoys of provisions, cut off their straggling parties, and so harassed them with continual alarms, that they prevented them for more than three weeks from advancing *.

1560.] At last the prior, with his feeble party, was constrained to retire, and the French set out from Kirkaldy, and began to move along the coast towards St. Andrew's, [*Jan.* 23]. They had advanced but a few miles, when from an eminence they descried a powerful fleet steering its course up the Frith of Forth. As they knew that the Marquis D'Elbeuf was at that time preparing to sail for Scotland with a numerous army, they hastily concluded that these ships belonged to him, and gave way to

* Knox, 202.

the most immoderate transports of joy on the prospect of this long-expected succour. Their great guns were already fired to welcome their friends, and to spread the tidings and terror of their arrival among their enemies, when a small boat from the opposite coast landed, and blasted their premature and short-lived triumph, by informing them that it was the fleet of England which was in sight, intended for the aid of the congregation, and was soon to be followed by a formidable land army *.

Throughout her whole reign, Elizabeth was cautious, but decisive; and by her promptitude in executing her resolutions, joined to the deliberation with which she formed them, her administration became remarkable no less for its vigour, than for its wisdom. No sooner did she determine to afford her protection to the lords of the congregation, than they experienced the activity, as well as the extent of her power. The season of the year would not permit her land-army to take the field; but lest the French should in the mean time receive new reinforcements, she instantly ordered a strong squadron to cruize in the Frith of Forth. She seems, by her instructions to Winter her admiral, to have been desirous of preserving the appearances of friendship towards the French †. But these were only appearances: if any

* Knox, 203. † Keith, Appendix, 45.

French fleet should attempt to land, he was commanded to prevent it by every act of hostility and violence. It was the sight of this squadron which occasioned at first so much joy among the French, but which soon inspired them with such terror as saved Fife from the effects of their vengeance. Apprehensive of being cut off from their companions on the opposite shore, they retreated towards Stirling with the utmost precipitation, and in a dreadful season, and through roads almost impassable, arrived at Leith harassed and exhausted with fatigue *.

The English fleet cast anchor in the road of Leith, and continuing in that station till the conclusion of peace, both prevented the garrison of Leith from receiving succours of any kind, and considerably facilitated the operations of their own forces by land.

Soon after the arrival of the English squadron, the commissioners of the congregation repaired to Berwick, [*Feb.* 27.] and concluded with the Duke of Norfolk a treaty, the bond of that union with Elizabeth which was of so great advantage to the cause. To give a check to the dangerous and rapid progress of the French arms in Scotland was the professed design of the contracting parties. In order to this, the Scots engaged never to suffer any closer union of their country with France, and to defend themselves to the uttermost a-

* Knox, 203.

gainst all attempts of conquest: and for their assistance, Elizabeth promised to employ in Scotland a powerful army, which the Scots undertook to join with all their forces. No place in Scotland was to remain in the hands of the English; whatever should be taken from the enemy was either to be rased, or kept by the Scots at their choice; if any invasion should be made upon England, the Scots were obliged to assist Elizabeth with part of their forces; and to ascertain their faithful observance of the treaty, they bound themselves to deliver hostages to Elizabeth before the march of her army into Scotland. In conclusion, the Scots made many protestations of obedience and loyalty towards their own queen, in every thing not inconsistent with their religion and the liberties of their country *.

The English army, consisting of six thousand foot, and two thousand horse, under the command of Lord Grey of Wilton, entered Scotland early in the spring, [*April* 2.]. The members of the congregation assembled from all parts of the kingdom to meet their new allies; and having joined them with great multitudes of their followers, they advanced together towards Leith. The French were little able to keep the field against an enemy so much superior in number. A strong body of troops, destined for their relief, had lately

* Knox, 217.

been scattered by a violent storm, and had either perished on the coast of France, or with difficulty had recovered the ports of that kingdom *. But they hoped to be able to defend Leith, till the princes of Lorrain should make good the magnificent promises of assistance with which they daily fed them; or till scarcity of provisions should constrain the English to retire into their own country. In order to hasten this latter event, they did not neglect the usual, though barbarous precaution for distressing an invading enemy, by burning and laying waste all the adjacent country †. The zeal, however, of the nation frustrated their intentions: Eager to contribute towards removing their oppressors, the people produced their hidden stores to support their friends; the neighbouring counties supplied every thing necessary; and far from wanting subsistence, the English found in their camp all sorts of provisions at a cheaper rate than had for some time been known in that part of the kingdom ‡.

On the approach of the English army the queen regent retired into the castle of Edinburgh. Her health was now in a declining state, and her mind broken and depressed by the misfortunes of her administration. To avoid the danger and fatigue of a siege, she committed herself to the protection of Lord

* Mem. de Castel. 450.
† Knox, 225. ‡ Knox, ibid.

Erskine. This nobleman still preserved his neutrality, and by his integrity and love of his country merited equally the esteem of both parties. He received the queen herself with the utmost honour and respect, but took care to admit no such retinue as might endanger his command of the castle *.

A few days after they arrived in Scotland, the English invested Leith [*April* 6.]. The garrison shut up within the town was almost half as numerous as the army which sat down before it, and by an obstinate defence protracted the siege to a great length. The circumstances of this siege related by cotemporary historians, men without knowledge and experience in the art of war, are often obscure and imperfect, and at this distance of time are not considerable enough to be entertaining.

At first the French endeavoured to keep possession of the Hawk Hill, a rising ground not far distant from the town, but were beat from it [*April* 15.] with great slaughter, chiefly by the furious attack of the Scottish cavalry. Within a few days the French had their full revenge: having sallied out with a strong body, they entered the English trenches, broke their troops, nailed part of their cannon, and killed at least double the number themselves had lost in the former skirmish. Nor were the English more for-

* Forbes's Collect. vol. i. 503. Keith, 122.

tunate in an attempt which they made to take the place by assault; they were met with equal courage, and repulsed with considerable loss [*May* 7.]. From the detail of these circumstances by the writers of that age, it is easy to observe the different characters of the French and English troops. The former, trained to war under the active reigns of Francis I. and Henry II. defended themselves not only with the bravery, but with the skill of veterans. The latter, who had been more accustomed to peace, still preserved the intrepid and desperate valour peculiar to the nation, but discovered few marks of military genius, or of experience in the practice of war. Every misfortune or disappointment during the siege must be imputed to manifest errors in conduct. The success of the besieged in their sally was owing entirely to the security and negligence of the English: many of their officers were absent; their soldiers had left their stations; and the trenches were almost without a guard. The ladders which had been provided for the assault wanted a great deal in the necessary length; and the troops employed in that service were ill supported. The trenches were opened, at first, in an improper place; and as it was found expedient to change the ground, both time and labour were lost. The weakness of their own generals, no less than the strength of the French garrison,

rendered the progress of the English wonderfully slow. The length, however, of the siege, and the loss of part of their magazines by an accidental fire, reduced the French to extreme distress, which the prospect of relief made them bear with admirable fortitude.

While the hopes and courage of the French protracted the siege so far beyond expectation, the Scottish malecontents were not idle. By new associations and confederacies they laboured more perfectly to unite their party. By publicly ratifying the treaty concluded at Berwick, they endeavoured to render the alliance with England firm and indissoluble. Among the subscribers of these papers we find the Earl of Huntly, and some others who had not hitherto concurred with the congregation in any of their measures *. Several of these lords, particularly the Earl of Huntly, still adhered to the popish church; but on this occasion neither their religious sentiments, nor their former cautious maxims, were regarded; the torrent of national resentment and indignation against the French hurried them on †.

* Burn. vol. iii. 287. Knox, 221.

† The dread of the French power did, on many occasions, surmount the zeal which the catholic nobles had for their religion. Besides the presumptive evidence for this, arising from the memorial mentioned by Burnet, Hist. of the Reformation, vol. iii. 281, and published by him, p. 278, the instructions of Elizabeth to Randolph her agent, put it beyond all doubt, that ma-

The queen regent, the instrument rather than the cause of involving Scotland in these calamities under which it groaned at that time, died during the heat of the siege. No princess ever possessed qualities more capable of rendering her administration illustrious, or her people happy. Of much discernment and no less address; of great intrepidity, and equal prudence; gentle and humane, without weakness; zealous for her religion, without bigotry; a lover of justice, without rigour. One circumstance, however, and that, too, the excess of a virtue rather than any vice, poisoned all these great qualities, and rendered her government unfortunate, and her name odious. Devoted to the interest of France, her native country, and attached to the princes of Lorrain, her brothers, with most passionate fondness, she departed, in order to gratify them, from every maxim which her own wisdom or humanity would have approved. She outlived, in a great measure, that reputation and popularity which had smoothed her way to the highest station in the kingdom; and many examples of falsehood, and some of severity, in the lat-

ny zealous papists thought the alliance with England to be necessary for preserving the liberty and independence of the kingdom. Keith, 158. Huntly himself began a correspondence with Elizabeth's ministers, before the march of the English army into Scotland. Haynes's State Papers, 261, 263. See Append. No. III.

ter part of her administration, totally alienated from her the affections of a people who had once placed in her an unbounded confidence. But even by her enemies these unjustifiable actions were imputed to the facility, not to the malignity of her nature; and while they taxed her brothers and French counsellors with harshness and cruelty, they still allowed her the praise of prudence and of lenity *. A few days before her death she desired an interview with the prior of St. Andrew's, the Earl of Argyle, and other chiefs of the congregation. To them she lamented the fatal issue of those violent counsels which she had been obliged to follow; and, with the candour natural to a generous mind, confessed the errors of her own administration, and begged forgiveness of those to whom they had been hurtful; but at the same time she warned them, amidst their struggles for liberty, and the shock of arms, not to lose sight of the loyalty and subjection which was due to their sovereign †. The remainder of her time she employed in religious meditations and exercises. She even invited the attendance of Willox, one of the most eminent among the reformed preachers, listened to his instructions with reverence and attention ‡, and prepared for the approach of death with a decent fortitude.

* Buchan. 321. † Lesly, de Rebus Gest. Scot. 212. ‡ Knox, 228.

Nothing could now save the French troops, shut up in Leith, but the immediate conclusion of a peace, or the arrival of a powerful army from the continent. The princes of Lorrain amused their party in Scotland with continual expectations of the latter, and had thereby kept alive their hopes and their courage. But at last, the situation of France, rather than the terror of the English arms, or the remonstrances of the Scottish malecontents, constrained them, though with reluctance, to turn their thoughts towards pacific councils. The protestants in France were at that time a party formidable by their number, and more by the valour and enterprising genius of their leaders. Francis II. had treated them with extreme rigour, and discovered by every step he took a settled resolution to extirpate their religion, and to ruin those who professed it. At the prospect of this danger to themselves and to their cause, the protestants were alarmed, but not terrified. Animated with zeal, and inflamed with resentment, they not only prepared for their own defence, but resolved, by some bold action, to anticipate the schemes of their enemies: and as the princes of Lorrain were esteemed the authors of all the king's violent measures, they marked them out to be the first victims of their indignation. Hence, and not from any disloyalty to the king, proceeded the famous conspiracy of Amboise [*March* 15.]; and

though the vigilance and good fortune of the princes of Lorrain discovered and disappointed that design, it was easy to observe new storms gathering in every province of the kingdom, and ready to burst out with all the fury and outrage of civil war. In this situation, the ambition of the house of Lorrain was called off from the thoughts of foreign conquests, to defend the honour and dignity of the French crown; and instead of sending new reinforcements into Scotland, it became necessary to withdraw the veteran troops already employed in that kingdom *.

In order to conduct an affair of so much importance and delicacy, the princes of Lorrain made choice of Monluc bishop of Valence and of the Sieur de Randan. As both these, especially the former, were reckoned inferior to no persons of that age in address and political refinement, Elizabeth opposed to them ambassadors of equal abilities; Cecil her prime minister, a man perhaps of the greatest capacity who had ever held that office; and Wotton dean of Canterbury, grown old in the art of negociating under three successive monarchs. The interests of the French and English courts were soon adjusted by men of so great dexterity in business; and as France easily consented to withdraw those forces which had been the chief occasion of the war, the other points in dispute between that kingdom and Eng-

* Lesly, 224.

land were not matters of tedious or of difficult discussion.

The grievances of the congregation, and their demands upon their own sovereigns for redress, employed longer time, and required to be treated with a more delicate hand. After so many open attempts, carried on by command of the king and queen, in order to overturn the ancient constitution, and to suppress the religion which they had embraced, the Scottish nobles could not think themselves secure, without fixing some new barrier against the future encroachments of regal power. But the legal steps towards accomplishing this were not so obvious. The French ambassadors considered the entering into any treaty with subjects, and with rebels, as a condescension unworthy the dignity of a sovereign; and their scruples on this head might have put an end to the treaty, if the impatience of both parties for peace had not suggested an expedient which seemed to provide for the security of the subject, without derogating from the honour of the prince. The Scottish nobles agreed, on this occasion, to pass from the point of right and privilege, and to accept the redress of their grievances as a matter of favour. Whatever additional security their anxiety for personal safety, or their zeal for public liberty, prompted them to demand, was granted in the name of Francis and Mary, as acts of their royal favour and indulgence. And

least concessions of this kind should seem precarious, and liable to be retracted by the same power which had made them, the French ambassador agreed to insert them in the treaty with Elizabeth, and thereby to bind the king and queen inviolably to observe them *.

In relating this transaction, cotemporary historians have confounded the concessions of Francis and Mary to their Scottish subjects, with the treaty between France and England: the latter, besides the ratification of former treaties between the two kingdoms, and stipulations with regard to the time and manner of removing both armies out of Scotland, contained an article, to which, as the source of many important events, we shall often have occasion to refer. The right of Elizabeth to her crown is thereby acknowledged in the strongest terms; and Francis and Mary solemnly engage, neither to assume the title, nor to bear the arms of king and queen of England, in any time to come.

July 6.] Honourable as this article was for Elizabeth herself, the conditions she obtained for her allies the Scots were no less advantageous to them. Monluc and Randan consented, in the name of Francis and Mary, that the French forces in Scotland should instantly be sent back into their own country, and no foreign troops be hereafter introduced into the kingdom, without the knowledge and

* Keith, 134, &c.

consent of parliament; that the fortifications of Leith and Dunbar should immediately be rased, and no new fort be erected without the permission of parliament; that a parliament should be held on the first day of August, and that assembly be deemed as valid, in all respects, as if it had been called by the express commandment of the king and queen; that conformable to the ancient laws and customs of the country, the king and queen should not declare war, or conclude peace, without the concurrence of parliament; that during the queen's absence, the administration of government should be vested in a council of twelve persons, to be chosen out of twenty-four named by parliament, seven of which council to be elected by the queen, and five by the parliament; that hereafter, the king and queen should not advance foreigners to places of trust or dignity in the kingdom, nor confer the offices of treasurer or comptroller of the revenues upon any ecclesiastic; that an act of oblivion, abolishing the guilt and memory of all offences committed since the sixth of March 1558, should be passed in the ensuing parliament, and ratified by the king and queen; that the king and queen should not, under colour of punishing any violation of their authority during that period, seek to deprive any of their subjects of the offices, benefices, or estates which they now held; that the redress due to churchmen, for the injuries which

they had sustained during the late insurrections, should be left entirely to the cognizance of parliament. With regard to religious controversies, the ambassadors declared that they would not presume to decide, but permitted the parliament, at their first meeting, to examine the points in difference, and to represent their sense of them to the king and queen *.

To such a memorable period did the lords of the congregation, by their courage and perseverance, conduct an enterprise, which at first promised a very different issue. From beginnings extremely feeble, and even contemptible, the party grew by degrees to great power; and being favoured by many fortunate incidents, baffled all the efforts of their own queen, aided by the forces of a more considerable kingdom. The whole sovereign authority was transferred, by this treaty, into the hands of the congregation; that limited prerogative which the crown had hitherto possessed was almost entirely annihilated; and the aristocratical power, which always predominated in the Scottish government, became supreme and incontrollable. By this treaty, too, the influence of France, which had long been of much weight in the affairs of Scotland, was greatly diminished; and not only were the present encroachments of that ambitious ally restrained, but, by confederating with England,

* Keith, 137, &c.

protection was provided against any future attempt from the same quarter. At the same time, the controversies in religion being left to the consideration of parliament, the protestants might reckon upon obtaining whatever decision was most favourable to the opinions which they professed.

A few days after the conclusion of the treaty, both the French and English armies quitted Scotland.

The eyes of every man in that kingdom were turned towards the approaching parliament. A meeting, summoned in a manner so extraordinary, at such a critical juncture, and to deliberate upon matters of so much consequence, was expected with the utmost anxiety.

A Scottish parliament, suitable to the aristocratical genius of the government, was properly an assembly of the nobles. It was composed of bishops abbots, barons, and a few commissioners of boroughs, who met altogether in one house. The lesser barons, though possessed of a right to be present, either in person or by their representatives, seldom exercised it. The expence of attending, according to the fashion of the times, with a numerous train of vassals and dependents; the inattention of the age to any legal or regular system of government; but above all, the exorbitant authority of the greater nobles, who had drawn the whole power into their

own hands, made this privilege of so little value, as to be almost neglected. It appears from the ancient rolls, that during times of tranquillity, few commissioners of boroughs, and almost none of the lesser barons, appeared in parliament. The ordinary administration of government was abandoned, without scruple or jealousy, to the king and to the nobles. But in extraordinary conjunctures, when the struggle for liberty was violent, and the spirit of opposition to the crown rose to an height, the burgesses and lesser barons were roused from their inactivity, and stood forth to vindicate the rights of their country. The turbulent reign of James III. affords examples in proof of this observation *. The public indignation against the rash designs of that weak and ill advised prince, brought into parliament, besides the nobles and prelates, a considerable number of the lesser barons.

The same causes occasioned the unusual confluence of all orders of men to the parliament, which met on the first of August. The universal passion for liberty, civil and religious, which had seized the nation, suffered few persons to remain unconcerned spectators of an assembly whose acts were likely to prove decisive with respect to both. From all corners of the kingdom flocked in men, eager and determined to aid, with their voices in the senate, the same cause which they had de-

* Keith, 147.

fended with their swords in the field. Besides a full convention of peers, temporal and spiritual, there appeared the representatives of almost the whole boroughs, and above an hundred barons, who, though of the lesser order, were gentlemen of the first rank and fortune in the nation *.

The parliament was ready to enter on business with the utmost zeal, when a difficulty was started concerning the lawfulness of the meeting. No commissioner appeared in the name of the king and queen, and no signification of their consent and approbation was yet received. These were deemed by many essential to the very being of a parliament. But, in opposition to this sentiment, the express words of the treaty of Edinburgh were urged, by which this assembly was declared to be as valid, in all respects, as if it had been called and appointed by the express command of the king and queen. As the adherents of the congregation greatly outnumbered their adversaries, the latter opinion prevailed. Their boldest leaders, and those of most approved zeal, were chosen to be lords of the articles, who formed a committee of ancient use, and of great importance in the Scottish parliament. The deliberations of the lords of the articles were carried on with the most unanimous and active zeal. The act of oblivion; the nomination of twenty-four persons, out of whom

* Keith, 146.

the council, entrusted with supreme authority, was to be elected; and every other thing prescribed by the late treaty, or which seemed necessary to render it effectual, passed without dispute or delay. The article of religion employed longer time, and was attended with greater difficulty. It was brought into parliament by a petition from those who had adopted the principles of the reformation. Many doctrines of the popish church were a contradiction to reason, and a disgrace to religion; its discipline had become corrupt and oppressive; and its revenues were both exorbitant and ill applied. Against all these the protestants remonstrated with the utmost severity of style, which indignation at their absurdity, or experience of their pernicious tendency, could inspire; and encouraged by the number and zeal of their friends to improve such a favourable juncture, they aimed the blow at the whole fabric of popery; and besought the parliament to interpose their authority for rectifying these multiplied abuses *.

Several prelates, zealously attached to the ancient superstition, were present in this parliament. But during these vigorous proceedings of the protestants, they stood confounded, and at a gaze, and persevered in a silence which was fatal to their cause. They esteemed it impossible to resist or divert that torrent of religious zeal, which was still in its

* Knox, 237.

full strength; they dreaded that their opposition would irritate their adversaries, and excite them to new acts of violence; they hoped that the king and queen would soon be at leisure to put a stop to the career of their insolent subjects; and that after the rage and havock of the present storm, the former tranquillity and order would be restored to the church and kingdom. They were willing, perhaps, to sacrifice the doctrine, and even the power of the church, in order to ensure the safety of their own persons, and to preserve the possession of those revenues which were still in their hands. From whatever motives they acted, their silence, which was imputed to the consciousness of a bad cause, afforded matter of great triumph to the protestants, and encouraged them to proceed with more boldness and alacrity *.

The parliament did not think it enough to condemn those doctrines mentioned in the petition of the protestants; they moreover gave the sanction of their approbation to a confession of faith presented to them by the reformed teachers †; and composed, as might be expected from such a performance in that age, on purpose to expose the absurd tenets and practices of the Romish church. By another act, the jurisdiction of the ecclesiastical courts was abolished, and the causes which formerly came under their cognisance transferred to

* Knox, 253. † Id ibid.

the decisions of civil judges *. By a third statute, the exercise of religious worship, according to the rites of the Romish church, was prohibited. The manner in which the parliament enforced the observation of this law discovers the zeal of that assembly; the first transgression subjected the offender to the forfeiture of his goods, and to a corporal punishment, at the discretion of the judge; banishment was the penalty of a second violation of the law; and a third act of disobedience was declared to be capital †. Such strangers were men at that time to the spirit of toleration, and to the laws of humanity; and with such indecent haste did the very persons who had just escaped the rigour of ecclesiastical tyranny, proceed to imitate those examples of severity of which they themselves had so justly complained.

The vigorous zeal of the parliament overturned in a few days the ancient system of religion which had been established so many ages. In reforming the doctrine and discipline of the church, the nobles kept pace with the ardour and expectations even of Knox himself. But their proceedings, with respect to these, were not more rapid and impetuous, than they were slow and dilatory when they entered on the consideration of ecclesiastical revenues. Among the lay members, some were already enriched with the spoils of the

* Keith, 152. † Knox, 254.

church, and others devoured in expectation the wealthy benefices which still remained untouched. The alteration in religion had afforded many of the dignified ecclesiastics themselves an opportunity of gratifying their avarice or ambition. The demolition of the monasteries having set the monks at liberty from their confinement, they instantly dispersed all over the kingdom, and commonly betook themselves to some secular employment. The abbot, if he had been so fortunate as to embrace the principles of the reformation from conviction, or so cunning as to espouse them out of policy, seized the whole revenues of the fraternity; and, except what he allowed for the subsistence of a few superannuated monks*, applied them entirely to his own use. The proposal made by the reformed teachers, for applying these revenues towards the maintenance of ministers, the education of youth, and the support of the poor, was equally dreaded by all these orders of men. They opposed it with the utmost warmth, and by their numbers and authority, easily prevailed on the parliament to give no ear to such a disagreeable demand†. Zealous as the first reformers were, and animated with a spirit superior to the low considerations of interest, they beheld these early symptoms of selfishness and avarice among their adherents with

* Keith, 496. Append. 190, 191.

† See Append. No. IV.

indignation; and we find Knox expressing the utmost sensibility of that contempt with which they were treated by many from whom he expected a more generous concern for the success of religion, and the honour of its ministers*.

A difficulty hath been started with regard to the acts of this parliament concerning religion. This difficulty, frivolous in itself, and at this distance of time of no importance, is founded on the words of the treaty of Edinburgh. By that, the parliament was permitted to take into consideration the state of religion, and to signify their sentiments of it to the king and queen. But instead of presenting their desires to their sovereigns in the humble form of a supplication or address, the parliament converted them into so many acts; which, although they never received the royal assent, obtained, all over the kingdom, the weight and authority of laws. In compliance with their injunctions, the established system of religion was every where overthrown, and that recommended by the reformers introduced in its place. The partiality and zeal of the people overlooked or supplied any defect in the form of these acts of parliament, and rendered the observance of them more universal than ever had been yielded to the statutes of the most regular or constitutional assembly. By these proceedings, it must, however, be confessed, that the parliament,

* Knox, 239, 256.

or rather the nation, violated the last article in the treaty of Edinburgh, and even exceeded the powers competent to subjects. But when once men have been accustomed to break through the common boundaries of subjection, and their minds are inflamed with the passions which civil war inspire, it is mere pedantry or ignorance to measure their conduct by those rules which can be applied only where government is in a state of order and and tranquillity. A nation, when obliged to employ such extraordinary efforts in defence of its liberties, avails itself of every thing which can promote this great end; and the necessity of the case, and the importance of the object, justify any departure from the common and established forms of the constitution.

In consequence of the treaty of Edinburgh, as well as by the ordinary forms of business, it became necessary to lay the proceedings of parliament before the king and queen. For this purpose, Sir James Sandilands of Calder Lord St. John, was appointed to repair to the court of France. After holding a course so irregular, the nobles had no reason to flatter themselves that Francis and Mary would ever approve their conduct, or confirm it by their royal assent. The reception of their ambassador was no other than they might have expected. He was treated by the king and queen with the utmost coldness, and dismiss-

ed without obtaining the ratification of the parliament's proceedings. From the princes of Lorrain and their partisans, he endured all the scorn and insult which it was natural for them to pour upon the party he represented *.

Though the earls of Morton, Glencairn, and Maitland of Lethington, the ambassadors of the parliament to Elizabeth their protectress, met with a very different reception, they were not more successful in one part of the negociation entrusted to their care. The Scots, sensible of the security which they derived from their union with England, were desirous of rendering it indissoluble. With this view, they empowered these eminent leaders of their party to testify to Elizabeth their gratitude for that seasonable and effectual aid which she had afforded them, and at the same time to beseech her to render the friendship between the nations perpetual, by condescending to marry the Earl of Arran, who, though a subject, was nearly allied to the royal family of Scotland, and after Mary, the undoubted heir to the crown.

To the former part of this commission Elizabeth listened with the utmost satisfaction, and encouraged the Scots, in any future exigency, to hope for the continuance of her good offices: with regard to the latter, she discovered those sentiments to which she adhered throughout her whole reign. Averse

* Knox, 255. Buch. 327.

from marriage, as some pretend through choice, but more probably out of policy, that ambitious princess would never admit any partner to the throne; but delighted with the entire and uncontrolled exercise of power, she sacrificed, to the enjoyment of that, the hopes of transmitting her crown to her own posterity. The marriage with the Earl of Arran could not be attended with any such extraordinary advantage as to shake this resolution; she declined it therefore, but with many expressions of good will towards the Scottish nation, and of respect for Arran himself *.

Towards the conclusion of this year, distinguished by so many remarkable events, there happened one of great importance. On the fourth of December died Francis II. a prince of a feeble constitution, and of a mean understanding. As he did not leave any issue by the queen, no incident could have been more fortunate to those who, during the late commotions in Scotland, had taken part with the congregation. Mary, by the charms of her beauty, had acquired an entire ascendant over her husband; and as she transferred all her influence to her uncles the princes of Lorrain, Francis followed them implicitly in whatever track they were pleased to lead him. The power of France, under such direction, alarmed the Scottish malecontents with appre-

* Burn. 3. Append. 308. Keith, 154, &c.

hensions of danger, no less formidable than well founded. The intestine disorders which raged in France, and the seasonable interposition of England in behalf of the congregation, had hitherto prevented the princes of Lorrain from carrying their designs upon Scotland into execution. But under their vigorous and decisive administration, it was impossible that the commotions in France could be of long continuance, and many things might fall in to divert Elizabeth's attention, for the future, from the affairs of Scotland. In either of these events, the Scots would stand exposed to all the vengeance which the resentment of the French court could inflict. The blow, however long suspended, was unavoidable, and must fall at last with redoubled weight. From this prospect and expectation of danger, the Scots were delivered by the death of Francis: the ancient confederacy of the two kingdoms had already been broken, and by this event the only bond of union which remained was dissolved. Catherine of Medicis, who during the minority of Charles IX. her second son, engrossed the entire direction of the French councils, was far from any thoughts of vindicating the Scottish queen's authority. Catherine and Mary had been rivals in power during the reign of Francis II. and had contended for the government of that weak and unexperienced prince; but as the charms of the wife easily triumphed over the

authority of the mother, Catherine could never forgive such a disappointment in her favourite passion, and beheld now, with a secret pleasure, the difficult and perplexing scene on which her daughter-in-law was about to enter. Mary, overwhelmed with all the sorrow which so sad a reverse of fortune could occasion; slighted by the queen mother *; and forsaken by the tribe of courtiers, who appear only in the sunshine of prosperity, retired to Rheims, and there in solitude indulged her grief, or hid her indignation. Even the princes of Lorrain were obliged to contract their views; to turn them from foreign to domestic objects; and instead of forming vast projects with regard to Britain, found it necessary to think of acquiring and establishing an interest with the new administration.

It is impossible to describe the emotions of joy which, on all these accounts, the death of the French monarch excited among the Scots. They regarded it as the only event which could give firmness and stability to that system of religion and government which was now introduced; and it is no wonder cotemporary historians should ascribe it to the immediate care of Providence, which, by unforeseen expedients, can secure the peace and happiness of kingdoms in those situations where human prudence and invention would utterly despair †.

* Henault. 310. Castaln. 454. † Knox, 259.

About this time, the protestant church in Scotland began to assume a regular form. Its principles had obtained the sanction of public authority, and some fixed external policy became necessary for the government and preservation of the infant society. The model introduced by the reformers differed extremely from that which had been so long established. The motives which induced them to depart so far from the ancient system deserve to be explained.

As the vices of the clergy had at first excited the indignation of mankind, and roused that spirit of inquiry, which proved so fatal to the whole popish system; as this disgust at the vices of ecclesiastics was soon transferred to their persons, and shifting from them, by no violent transition, settled at last on the offices which they enjoyed; the effects of the reformation would naturally have extended not only to the doctrine, but to the government of the popish church; and the same spirit which abolished the former, would have overturned the latter. But, in Germany, England, and the notheren kingdoms, its operations were checked by the power and policy of their princes; and the ancient episcopal jurisdiction, under a few limitations, was still continued in those churches. The episcopal hierarchy appears to be more conformable to the practice of the church, since Christianity became the established religion

of the Roman empire. The ecclesiastical government was, at that time, plainly copied from the civil; the first not only borrowed its form, but derived its authority from the latter; and the dioceses and jurisdictions of patriarchs, archbishops, and bishops, corresponded with the division and constitution of the empire. In Switzerland and the Low-countries, the nature of the government allowing full scope to the genius of the reformation, all pre-eminence of order in the church was destroyed, and an equality established more suitable to the spirit of republican policy. The situation of the primitive church suggested the idea, and furnished the model of the latter system, which has since been called *Presbyterian*. The first Christians, oppressed by continual persecutions, and obliged to hold their religious assemblies by stealth, and in corners, were contented with a form of government extremely simple. The influence of religion concurred, with the sense of danger, in extinguishing among them the spirit of ambition, and in preserving a parity of rank, the effect of their sufferings, and the cause of many of their virtues. Calvin, whose decisions were received among the protestants of that age with incredible submission, was the patron and restorer of this scheme of ecclesiastical policy. The church of Geneva, formed under his eye, and by his direction, was esteemed the most perfect model of

this government; and Knox, who, during his residence in that city, had studied and admired it, warmly recommended it to the imitation of his countrymen.

Among the Scottish nobles, some hated the persons, and others coveted the wealth of the dignified clergy; and by abolishing that order of men, the former indulged their resentment, and the latter hoped to gratify their avarice. The people, inflamed with the most violent aversion to popery, and approving of every scheme that departed farthest from the practice of the Romish church, were delighted with a system so admirably suited to their predominant passion; while the friends of civil liberty beheld with pleasure the protestant clergy pulling down, with their own hands, that fabric of ecclesiastical power which their predecessors had reared with so much art and industry; and flattered themselves, that by lending their aid to strip churchmen of their dignity and wealth, they might entirely deliver the nation from their exorbitant and oppressive jurisdiction. The new mode of government made easily its way among men thus prepared by their various interests and passions for its reception.

But on the first introduction of his system, Knox did not deem it expedient to depart altogether from the ancient form *. Instead of bishops, he proposed to establish ten or twelve

* Spotswood, 158.

superintendants in different parts of the kingdom. These, as the name implies, were empowered to inspect the life and doctrine of the other clergy. They presided in the inferior judicatories of the church, and performed several other parts of the episcopal function. Their jurisdiction, however, extended to sacred things only; they claimed no seat in parliament, and pretended no right to the dignity or revenues of the former bishops.

The number of inferior clergy, to whom the care of parochial duty could be committed, was still extremely small; they had embraced the principles of the reformation at different times, and from various motives: during the public commotions, they were scattered merely by chance over the different provinces of the kingdom; and in a few places only were formed into regular classes or societies. The first general assembly of the church, which was held this year, [*Dec.* 20.], bears all the marks of an infant and unformed society. The members were but few in number, and of no considerable rank; no uniform or consistent rule seems to have been observed in electing them. From a great part of the kingdom no representatives appeared. In the name of some entire counties, but one person was present, while in other places, a single town or church sent several members. A convention so feeble and irregular could possess no great authority;

and conscious of their own weakness, the members put an end to their debates, without venturing upon any decision of much importance *.

1561.] In order to give greater strength and consistency to the presbyterian plan, Knox, with the assistance of his brethren, composed the first book of discipline, which contains the model or platform of the intended policy †. They presented it to a convention of estates, which was held in the beginning of this year, [*Jan.* 15.]. Whatever regulations were proposed with regard to ecclesiastic discipline and jurisdiction, would have easily obtained the sanction of that assembly; but a design to recover the patrimony of the church, which is there insinuated, met with a very different reception.

In vain did the clergy display the advantages which would accrue to the public by a proper application of ecclesiastical revenues. In vain did they propose, by an impartial distribution of this fund, to promote true religion, to encourage learning, and to support the poor. In vain did they even intermingle threatenings of the divine displeasure against the unjust detainers of what was appropriated to a sacred use. The nobles held fast the prey which they had seized; and bestowing upon the proposal the name of a *devout imagination*, they affected to consider it

* Keith, 498. † Spotswood, 152.

as a project altogether visionary, and treated it with the utmost scorn *.

This convention appointed the prior of St. Andrew's to repair to the queen, and to invite her to return into her native country, and to assume the reins of government, which had been too long committed to other hands. And though some of her subjects dreaded her return, and others foresaw dangerous consequences with which it might be attended †, the bulk of them desired it with so much ardour, that the invitation was given with the greatest appearance of unanimity. But the zeal of the Roman catholics got the start of the prior in paying court to Mary; and Lesly, afterwards Bishop of Ross, who was commissioned by them, arrived before him at the place of her residence ‡. Lesly endeavoured to infuse into the queen's mind suspicions of her protestant subjects, and to persuade her to throw herself entirely into the arms of those who adhered to their own religion. For this purpose, he insisted that she should land at Aberdeen; and as the protestant doctrines had made no considerable progress in that part of the kingdom, he gave her assurance of being joined in a few days by twenty thousand men; and flattered her that with such an army, encouraged by her presence and authority, she might easily overturn the reformed church before it was firmly settled

* Knox, 256. † See Append. No. 5. ‡ Lesly, 227.

on its foundations. But at this juncture the princes of Lorrain were not disposed to listen to this extravagant and dangerous proposal. Intent on defending themselves against Catherine of Medicis, whose insidious policy was employed in undermining their exorbitant power, they had no leisure to attend to the affairs of Scotland, and wished their niece to take possession of her kingdom with as little disturbance as possible. The French officers too, who had served in Scotland dissuaded Mary from all violent measures; and by representing the power and number of the protestants to be irresistible, determined her to court them by every art, and rather to employ the leading men of that party as her ministers, than to provoke them, by a fruitless opposition, to become her enemies *. Hence proceeded the confidence and affection with which the prior of St. Andrew's was received by the queen. His representation of the state of the kingdom gained great credit; and Lesly beheld with regret the new channel in which court favour was likely to run.

Another convention of the estates was held in May. The arrival of an ambassador from France seems to have been the occasion of this meeting. He was instructed to solicit the Scots to renew their ancient alliance with France, to break their new confederacy

* Melv. 61.

with England, and to restore the popish ecclesiastics to the possession of their revenues, and the exercise of their functions. It is no easy matter to form any conjecture concerning the intentions of the French court in making these extraordinary and ill-timed propositions. They were rejected with that scorn which might well have been expected from the temper of the nation *.

In this convention the protestant clergy did not obtain a more favourable audience than formerly; and their prospect of recovering the patrimony of the church still remained as distant and uncertain as ever. But with regard to another point, they found the zeal of the nobles in no degree abated. The book of discipline seemed to require, that the monuments of popery which still remained in the kingdom should be demolished †; and though neither the same pretence of policy, nor the same ungovernable fury of the people, remained to justify or excuse this barbarous havock, the convention, considering every religious fabric as a relict of idolatry, passed sentence upon them by an act in form; and persons the most remarkable for the activity of their zeal, were appointed to put it in execution. Abbeys, cathedrals, churches, libraries, records, and even the sepulchres of the dead, perished in one common ruin. The first storm of popular insurrection, though

* Knox, 269, 273. † Spotswood, 153.

impetuous and irresistible, had extended only to a few counties, and soon spent its rage; but now a deliberate and universal rapine completed the devastation of every thing venerable and magnificent which had escaped its violence *.

In the mean time, Mary was in no haste to return into Scotland. Accustomed to the elegance, splendour, and gaity of a polite court, she still fondly lingered in France, the scene of all these enjoyments, and contemplated with horror the barbarism of her own country, and the turbulence of her subjects, which presented her with a very different face of things. The impatience, however, of her people, the persuasions of her uncles, but above all, the studied and mortifying neglect with which she was treated by the queen mother, forced her to think of beginning this disagreeable voyage †. But, while she was preparing for it, there were sown, between her and Elizabeth, the seeds of that personal jealousy and discord, which embittered the life, and shortened the days of the Scottish queen.

The ratification of the late treaty of Edinburgh was the immediate occasion of this fatal animosity; the true causes of it lay much deeper. Almost every article in that treaty had been executed by both parties with a scrupulous exactness. The fortifications of

* Spotswood, 174. † Brantome, Jebb, vol. ii. 482.

Leith were demolished, and the armies of France and England withdrawn within the appointed time. The grievances of the Scottish malecontents were redressed, and they had obtained whatever they could demand for their future security. With regard to all these, Mary could have little reason to decline, or Elizabeth to urge, the ratification of the treaty.

The sixth article remained the only source of contest and difficulty. No minister ever entered more deeply into the schemes of his sovereign, or pursued them with more dexterity and success than Cecil. In the conduct of the negociation at Edinburgh, the sound understanding of this able politician proved greatly an overmatch for Monluc's refinements in intrigue, and artfully induced the French ambassadors, not only to acknowledge that the crowns of England and Ireland did of right belong to Elizabeth alone, but also to promise, that in all times to come, Mary should abstain from using the titles, or bearing the arms of those kingdoms.

The ratification of this article would have been of the most fatal consequence to Mary. The crown of England was an object worthy of her ambition. Her pretensions to it gave her great dignity and importance in the eyes of all Europe. By many, her title was esteemed preferable to that of Elizabeth. Among the English themselves, the Roman catholics, who

formed at that time a numerous and active party, openly espoused this opinion; and even the protestants who supported Elizabeth's throne, could not deny the queen of Scots to be her immediate heir. A proper opportunity to avail herself of all these advantages, could not, in the course of things, be far distant, and many incidents might fall in, to bring this opportunity nearer than was expected. In these circumstances, Mary, by ratifying the article in dispute, would have lost that rank which she had hitherto held among neighbouring princes; the zeal of her adherents must have gradually cooled; and she might have renounced, from that moment, all hopes of ever wearing the English crown.

None of these beneficial consequences escaped the penetrating eye of Elizabeth, who, for this reason, had recourse to every thing by which she could hope either to sooth or frighten the Scottish queen into a compliance with her demands. And if that princess had been so unadvised as to ratify the rash concessions of her ambassadors, Elizabeth, by that deed, would have acquired an advantage which, under her management, must have turned to great account. By such a renunciation, the question, with regard to the right of succession, would have been left altogether open and undecided; and by means of that, Elizabeth might either have kept her rival in perpetual anxiety and dependence, or, by the au-

thority of her parliament, she might have broken in upon the order of lineal succession, and transferred the crown to some other descendant of the royal blood. The former conduct she observed towards James VI. whom, during his whole reign, she held in perpetual fear and subjection. The latter, and more rigorous method of proceeding, would, in all probability, have been employed against Mary, whom for many reasons, she both envied and hated.

Nor was this step beyond her power, unprecedented in the history, or inconsistent with the constitution of England. Though succession by hereditary right be an idea so natural and so popular, that it has been established almost in every civilized nation, yet England affords many memorable instances of deviations from that rule. The crown of that kingdom having once been seized by the hand of a conqueror, this invited the bold and enterprising in every age to imitate such an illustrious example of fortunate ambition. From the time of William I. the regular course of descent had seldom continued through three successive reigns. Those princes whose intrigues or valour opened them a way to the throne, called in the authority of the great council of the nation to confirm their dubious titles. Hence, parliamentary and hereditary right became in England of equal consideration. That great assembly claimed, and actu-

ally possessed, a power of altering the order of regal succession; and even so late as Henry VIII. an act of parliament had authorised that capricious monarch to settle the order of succession at his pleasure. The English, jealous of their religious liberty, and averse from the dominion of strangers, would have eagerly adopted the passions of their sovereign, and might have been easily induced to exclude the Scottish line from the right of succeeding to the crown. These seem to have been the views of both queens, and those were the difficulties which retarded the ratification of the treaty of Edinburgh.

But if the sources of their discord were to be traced no higher than this treaty, an inconsiderable alteration in the words of it, might have brought the present question to an amicable issue. The indefinite and ambiguous expression which Cecil had inserted into the treaty, might have been changed into one more limited, but more precise; and Mary, instead of promising to abstain from bearing the title of queen of England in all times to come, might have engaged not to assume that title during the life of Elizabeth, or the lives of her lawful posterity.

This amendment, however, did not suit the views of either queen. Though Mary had been obliged to suspend for some time the prosecution of her title to the English crown, she had not, however, relinquished it. She

determined to revive her claim on the first prospect of success, and was unwilling to bind herself, by a positive engagement, not to take advantage of any such fortunate occurrence. Nor would the alteration have been more acceptable to Elizabeth, who, by agreeing to it, would have tacitly recognised the right of her rival to ascend the throne after her decease. But neither the Scots nor English queen durst avow these secret sentiments of their hearts. Any open discovery of an inclination to disturb the tranquillity of England, or to wrest the sceptre out of Elizabeth's hands, might have proved fatal to Mary. Any suspicion of a design to alter the order of succession, and to set aside the claim of the Scottish queen, would have exposed Elizabeth to much and deserved censure, and have raised up against her many and dangerous enemies. These, however carefully concealed, or artfully disguised, were in all probability the real motives which determined the one queen to solicit, and the other to refuse the ratification of the treaty in its original form; while neither had recourse to that explication of it which, to an heart unwarped by political interest, and sincerely desirous of union and concord, would have appeared so obvious and natural.

But though considerations of interest first occasioned this rupture between the British queens, rivalship of another kind contributed to widen the breach, and female jealousy

increased the violence of their political hatred. Elizabeth, with all those extraordinary qualities, by which she equalled or surpassed those of her sex who have merited the greatest renown, discovered an admiration of her own person, to a degree which women of ordinary understandings either do not entertain, or prudently endeavour to conceal. Her attention to dress, her solicitude to display her charms, her love of flattery, were all excessive. Nor were these weaknesses confined to that period of life when they are more pardonable. Even in very advanced years, the wisest woman of that, or perhaps of any other age, wore the garb, and affected the manners of a girl *. Though Elizabeth was as much inferior to Mary in beauty and gracefulness of person, as she excelled her in political abilities and in the arts of government, she was weak enough to compare herself with the Scottish queen †; and as it was impossible she could be altogether ignorant how much Mary gained by the comparison, she envied and hated her as a rival by whom she was eclipsed. In judging of the conduct of princes, we are apt to ascribe too much to political motives, and too little to the passions which they feel in common with the rest of mankind. In order to account for Elizabeth's present, as well

* Johnston, Hist. Rer. Britan. 346, 347. Carte, vol. iii. 699. Catalogue of Royal and Noble Authors, Article *Essex*.

† Melvil, 98.

as her subsequent conduct towards Mary, we must not always consider her as a queen, we must sometimes regard her as a woman.

Elizabeth, though no stranger to Mary's difficulties with respect to the treaty, continued to urge her, by repeated applications, to ratify it *. Mary, under various pretences, still contrived to gain time, and to elude the request. But while the one queen solicited with persevering importunity, and the other evaded with artful delay, they both studied an extreme politeness of behaviour, and loaded each other with professions of sisterly love, with reciprocal declarations of unchangeable esteem and amity.

It was not long before Mary was convinced, that among princes these expressions of friendship are commonly far distant from the heart. In sailing from France to Scotland, the course lies along the English coast. In order to be safe from the insults of the English fleet, or in case of tempestuous weather, to secure a retreat in the harbours of that kingdom, Mary sent M. D'Oysel to demand of Elizabeth a safe-conduct during her voyage. This request, which decency alone obliged one prince to grant to another, Elizabeth rejected, in such a manner as gave rise to no slight suspicion of a design, either to obstruct the passage, or to intercept the person of the Scottish queen †.

* Keith, 157, 160, &c. † Ibid. 171. Camden. See Append. No. VI.

This ungenerous behaviour of Elizabeth filled Mary with indignation, but did not retard her departure from France. She was accompanied to Calais, the place where she embarked, in a manner suitable to her dignity, as the queen of two powerful kingdoms. Six princes of Lorrain, her uncles, with many of the most eminent among the French nobles, were in her retinue. Catherine, who secretly rejoiced at her departure, graced it with every circumstance of magnificence and respect. After bidding adieu to her mourning attendants, with a sad heart, and eyes bathed in tears, Mary left that kingdom, the short but only scene of her life in which fortune smiled upon her. While the French coast continued in sight, she intently gazed upon it; and musing in a thoughtful posture on that height of fortune whence she had fallen, and presaging, perhaps, the disasters and calamities which embittered the remainder of her days, she sighed often, and cried out, "Farewell, "France! Farewell, beloved country, which "I shall never more behold!" Even when the darkness of the night had hid the land from her view, she would neither retire to the cabin, nor taste food, but commanding a couch to be placed on the deck, she there waited the return of day with the utmost impatience. Fortune soothed her on this occasion; the galley made little way during the night. In the morning, the coast of France

was still within sight, and she continued to feed her melancholy with the prospect; and as long as her eyes could distinguish it, to utter the same tender expressions of regret *. At last a brisk gale arose, by the favour of which for some days, and afterwards, under the covert of a thick fog, Mary escaped the English fleet, which lay in wait to intercept her †; and on the 19th of August, after an absence of near thirteen years, landed safely at Leith in her native kingdom.

Mary was received by her subjects with shouts and acclammations of joy, and with every demonstration of welcome and regard. But as her arrival was unexpected, and no suitable preparation had been made for it, they could not with their utmost efforts hide from her the poverty of the country, and were obliged to conduct her to the palace of Holyrood-house with little pomp. The queen, accustomed from her infancy to the utmost splendour and magnificence, and fond of them, as was natural at her age, could not help observing the change in her situation, and seemed to be deeply affected with it ‡.

Never did any prince ascend the throne at a juncture which called for more wisdom in council, or more courage and steadiness in action. The rage of religious controversy

* Brantome, 483. He himself was in the same galley with the queen.

† Goodal, vol. i. 175. Casteln. 455. ‡ Brant. 484.

was still unabated. The memory of past oppression exasperated the protestants; the smart of recent injuries rendered the papists desperate; both were zealous, fierce, and irreconcileable. The absence of their sovereign had accustomed the nobles to independency; and during the late commotions they had acquired such an increase of wealth, as threw great weight into the scale of aristocracy, which stood not in need of any accession of power. The kingdom had long been under the government of regents, who exercised a delegated jurisdiction, attended with little authority, and which inspired no reverence. A state of pure anarchy had prevailed for the two last years, without a regent, without a supreme council, without the power, or even the form of a regular government *. A licentious spirit, unacquainted with subordination, and disdaining the restraints of law and justice, had spread among all ranks of men. The influence of France, the ancient ally of the kingdom, was withdrawn or despised. The English, of enemies become confederates, had grown into confidence with the nation, and gained an ascendant over all its councils. The Scottish monarchs did not derive more splendour or power from the friendship of the former, than they had reason to dread injury and diminution from the interposition of the latter.

* Keith, Append. 92.

Every consideration, whether of interest, or of self preservation, obliged Elizabeth to depress the royal authority in Scotland, and to create the prince perpetual difficulties, by fomenting the spirit of disaffection among the people.

In this posture were the affairs of Scotland, when the administration fell into the hands of a young queen, not nineteen years of age, unacquainted with the manners and laws of her country, a stranger to her subjects, without experience, without allies, and almost without a friend.

On the other hand, in Mary's situation we find some circumstances which, though they did not balance these disadvantages, contributed however to alleviate them, and with skilful management might have produced great effects. Her subjects, unaccustomed so long to the residence of their prince, were not only dazzled by the novelty and splendour of the royal presence, but inspired with awe and reverence. Besides the places of power and profit bestowed by the favour of a prince, his protection, his familiarity, and even his smiles, confer honour, and win the hearts of men. From all corners of the kingdom the nobles crowded to testify their duty and affection to their sovereign, and studied, by every art, to wipe out the memory of past misconduct, and to lay in a stock of future merit. The amusements and gaiety

of her court, which was filled with the most accomplished of the French nobility who had attended her, began to soften and to polish the rude manners of the nation. Mary herself possessed many of those qualifications which raise affection, and procure esteem. The beauty and gracefulness of her person drew universal admiration, the elegance and politeness of her manners commanded general respect. To all the charms of her own sex, she added many of the accomplishments of the other. The progress she had made in all the arts and sciences which were then esteemed necessary or ornamental, was far beyond what is commonly attained by princes. And all her other qualities were rendered more agreeable by a courteous affability, which, without lessening the dignity of a prince, steals on the hearts of subjects with a bewitching insinuation.

From these circumstances, notwithstanding the threatening aspect of affairs at Mary's return into Scotland, notwithstanding the clouds which gathered on every hand, a political observer would have predicted a very different issue of her reign; and whatever sudden gusts of faction he might have expected, he would never have dreaded the destructive violence of that storm which followed.

While all parties were contending who should discover the most dutiful attachment

to the queen, the zealous and impatient spirit of the age broke out in a remarkable instance. On the Sunday after her arrival, the queen commanded mass to be celebrated in the chapel of her palace. The first rumour of this occasioned a secret murmuring among the protestants who attended the court; complaints and threatenings soon followed. The servants belonging to the chapel were insulted and abused; and if the prior of St. Andrew's had not seasonably interposed, the rioters might have proceeded to the utmost excesses *.

It is impossible, at this distance of time, and under circumstances so very different, to conceive the violence of that zeal against popery which then possessed the nation. Every instance of condescension to the papists was esteemed an act of apostacy, and the toleration of a single mass pronounced to be more formidable to the nation than the invasion of ten thousand armed men †. Under the influence of these opinions, many protestants would have ventured to go dangerous lengths; and, without attempting to convince their sovereign by argument, or to reclaim her by indulgence, would have abruptly denied her the liberty of worshipping God in that manner which alone she thought acceptable to him. But the prior of St. Andrew's and other leaders of the party, not

* Knox, 284. † Ibid. 287.

only restrained this impetuous spirit, but, in spite of the murmurs of the people and the exclamations of the preachers, obtained for the queen and her domestics the undisturbed exercise of the catholic religion. Near an hundred years after this period, when the violence of religious animosities had begun to subside, when time and the progress of learning had enlarged the views of the human mind, an English house of commons refused to indulge the wife of their sovereign in the private use of the mass. The protestant leaders deserve, on this occasion, the praise both of wisdom and of moderation for conduct so different. But, at the same time, whoever reflects upon the encroaching and sanguinary spirit of popery, will be far from treating the fears and caution of the more zealous reformers as altogether imaginary and destitute of any real foundation.

The protestants, however, by this compliance with the queen's prejudices, obtained a proclamation highly favourable to their religion. The reformed doctrine, though established all over the kingdom, had never received the countenance or sanction of royal authority. On this occasion, [*Aug.* 25,] the queen declared any attempt towards an alteration or subversion of it to be a capital crime *.

* Keith, 504.

The queen, conformable to the plan which had been concerted in France, committed the administration of affairs entirely to protestants. Her council was filled with the most eminent persons of that party; not a single papist was admitted into any degree of confidence *. The prior of St. Andrew's, and Maitland of Lethington, seemed to hold the first place in the queen's affection, and possessed all the power and reputation of favourite ministers. Her choice could not have fallen upon persons more acceptable to her people; and, by their prudent advice, the queen conducted herself with so much moderation, and deference to the sentiments of the nation, as could not fail of gaining the affection of her subjects †, the firmest foundation of a prince's power, and the only genuine source of his happiness and glory.

A cordial reconcilement with Elizabeth was another object of great importance to Mary; and though she seems to have had it much at heart, in the beginning of her administration, to accomplish such a desirable conjunction, yet many events occurred to widen rather than to close the breach. The formal offices of friendship, however, are seldom neglected among princes, and Elizabeth, who had attempted so openly to obstruct the queen's voyage into Scotland, did not fail, a few days after her arrival, to

* Knox, 285.† Lesly, 235.

command Randolph to congratulate her safe return. Mary, that she might be on equal terms with her, sent Maitland to the English court, with many ceremonious expressions of regard for Elizabeth *. Both the ambassadors were received with the utmost civility; and on each side the professions of kindness, as they were made with little sincerity, were listened to with proportional credit.

Both were intrusted, however, with something more than mere matter of ceremony. Randolph urged Mary, with fresh importunity, to ratify the treaty of Edinburgh. Maitland endeavoured to amuse Elizabeth, by apologizing for the dilatory conduct of his mistress with regard to that point. The multiplicity of public affairs since her arrival in Scotland, the importance of the question in dispute, and the absence of many noblemen, with whom she was obliged in decency to consult, were the pretences offered in excuse for her conduct; the real causes of it were those which have already been mentioned. In order to extricate herself out of these difficulties, into which the treaty of Edinburgh had led her, Mary was brought to yield a point, which formerly she seemed determined never to give up. She instructed Maitland to signify her willingness to disclaim any right to the crown of England during the life of Elizabeth, and the lives

* Keith, 181.

of her posterity; if, in failure of these, she were declared next heir by act of parliament *.

Reasonable as this proposal might appear to Mary, who thereby precluded herself from disturbing Elizabeth's possession of the throne, nothing could be more inconsistent with Elizabeth's interest, or more contradictory to a passion which predominated in the character of that princess. Notwithstanding all the great qualities which threw such lustre on her reign, we may observe, that she was tinctured with a jealousy of her right to the crown, which often betrayed her into mean and ungenerous actions. The peculiarity of her situation heightened, no doubt, and increased, but did not infuse this passion; it descended to her from Henry VII. her grandfather, whom in several features of his character she nearly resembled. Like him, she suffered the title by which she held the crown to remain ambiguous and controverted, rather than submit it to parliamentary discussion, or derive any addition to her right from such authority. Like him, she observed every pretender to the succession, not only with that attention which prudence prescribes, but with that aversion which suspicion inspires. The present uncertainty with regard to the right of succession operated for Elizabeth's ad-

* Camden, 387. Buch. 329.

vantage, both on her subjects and on her rivals. Among the former, every lover of his country regarded her life as the great security of the national tranquillity; and chose rather to acknowledge a title which was dubious, than search for one that was unknown. The latter, while nothing was decided, were held in dependence, and obliged to court her. The manner in which she received this ill-timed proposal of the Scottish queen, was no other than might have been expected. She rejected it in a peremptory tone, with many expressions of a resolution never to permit a point of so much delicacy to be touched.

About this time [*Sept.* 1,] the queen made her public entry into Edinburgh with great pomp. Nothing was neglected which could express the duty and affection of the citizens towards their sovereign. But amidst these demonstrations of regard, the genius and sentiments of the nation discovered themselves in a circumstance, which, though inconsiderable, ought not to be overlooked. As it was the mode of the times to exhibit many pageants at every public solemnity, on this occasion, most of these were contrived to be representations of the vengeance which the Almighty hath inflicted upon idolaters *. Even while they studied to amuse and to flatter the queen, her subjects

* Keith, 189.

could not refrain from testifying their abhorrence of that religion which she professed.

To restore the regular administration of justice, and to reform the internal police of the country, became the next object of the queen's care. The laws enacted for preservation of public order, and the security of private property, were nearly the same in Scotland as in every other civilized country. But the nature of the Scottish constitution, the impotence of regal authority, the exorbitant power of the nobles, the violence of faction, and the fierce manners of the people, rendered the execution of these laws feeble, disorderly, and partial. In the counties which border on England, this defect was most apparent; and the consequences of it most sensibly felt. The inhabitants, strangers to industry, averse from labour, and unacquainted with the arts of peace, subsisted entirely by spoil and pillage, and being confederated in septs or clans, committed these excesses not only with impunity, but even with honour. During the unsettled state of the kingdom from the death of James V. this dangerous licence had grown to an unusual height; and the inroads and rapine of these freebooters were become no less intolerable to their own countrymen than to the English. To restrain and punish these outrages, was an action equally popular in both kingdoms. The prior of St An-

drew's was the person chosen for this important service; and extraordinary powers, together with the title of the queen's lieutenant, were vested in him for that purpose.

Nothing can be more surprising to men accustomed to regular government, than the preparations made on this occasion. They were such as might be expected in the rudest and most imperfect state of society. The freeholders of eleven several counties, with all their followers completely armed, were summoned to assist their lieutenant in the discharge of his office. Every thing resembled a military expedition, rather than the progress of a court of justice*. The prior executed his commission with such vigour and prudence, as acquired him a great increase of reputation and popularity among his countrymen. Numbers of the banditti suffered the punishment due to their crimes; and, by the impartial and rigorous administration of justice, order and tranquillity were restored to that part of the kingdom.

During the absence of the prior of St. Andrew's, the leaders of the popish faction seem to have taken some steps towards insinuating themselves into the queen's favour and confidence†. But the archbishop of St. Andrew's, the most remarkable person in the party for abilities and political address, was received with little favour at court; and whatever

* Keith, 198. † Ibid. 203.

secret partiality the queen might have towards those who professed the same religion with herself, she discovered no inclination at that time to take the administration of affairs out of those hands to which she had already committed it.

The cold reception of the archbishop of St. Andrew's was owing to his connection with the house of Hamilton, from which the queen was much alienated. The Duke of Guise and the cardinal could never forgive the zeal with which the Duke of Chatelherault and his son the Earl of Arran had espoused the cause of the congregation. Princes seldom view their successors without jealousy and distrust. The prior of St. Andrew's, perhaps, dreaded the duke as a rival in power. All these causes concurred in infusing into the queen's mind an aversion for that family. The duke, indulging his love of retirement, lived at a distance from court, without taking pains to insinuate himself into favour. And though the Earl of Arran openly aspired to marry the queen, he, by a most unpardonable act of imprudence, was the only nobleman of distinction who opposed Mary's enjoying the exercise of her religion; and by rashly entering a public protestation against it, entirely forfeited her favour *. At the same time, the sordid parsimony of his father obliged him either to

* Keith, 201, 204. Knox, 286.

hide himself in some retirement, or to appear in a manner unbecoming his dignity as first prince of the blood, or his high pretensions as suitor to the queen*. His love, inflamed by disappointment, and his impatience, exasperated by neglect, preyed gradually on his reason; and, after many extravagancies, broke out at last in ungovernable frenzy.

Towards the end of the year, a convention of estates was held, [*Dec.* 20.] chiefly on account of ecclesiastical affairs. The assembly of the church, which sat at the same time, presented a petition, containing many demands with respect to the suppression of popery, the encouraging the protestant religion, and the providing for the maintenance of the clergy†. The last was a matter of great importance, and the steps taken towards it deserve to be traced.

Though the number of protestant preachers was now considerably increased, many more were still needed in every corner of the kingdom. No legal provision having been made for them, they had hitherto drawn a scanty and precarious subsistence from the benevolence of their people. To suffer the ministers of an established church to continue in this state of indigency and dependence, was an indecency equally repugnant to the principles of religion, and to the maxims of sound policy; and would have justi-

* Keith, 196. † Ibid. 210.

fied all the imputations of avarice with which the reformation was then loaded by its enemies. The revenues of the popish church were the only fund which could be employed for their relief; but during the three last years the state of these was greatly altered. A great majority of abbots, priors, and other heads of religious houses, had, either from a sense of duty, or from views of interest, renounced the errors of popery; and, notwithstanding this change in their sentiments, they retained their ancient revenues. Almost the whole order of the bishops, and several of the other dignitaries, still adhered to the Romish superstition; and though debarred from every spiritual function, continued to enjoy the temporalities of their benefices. Some laymen, especially those who had been active in promoting the reformation, had, under various pretences, and amidst the licence of civil wars, got into their hands possessions which belonged to the church. And thus, before any part of the ancient ecclesiastical revenues could be applied towards the maintenance of the protestant ministers, many different interests were to be adjusted; many claims to be examined; and the prejudices and passions of the two contending parties required the application of a delicate hand. After much contention, the following plan was approved by a majority of voices, and acquiesced in

even by the popish clergy themselves. An exact account of the value of ecclesiastical benefices throughout the kingdom was appointed to be taken. The present incumbents, to whatever party they adhered, were allowed to keep possession; two thirds of their whole revenue were reserved for their own use, the remainder was annexed to the crown; and out of that, the queen undertook to assign a sufficient maintenance for the protestant clergy *.

As most of the bishops and several of the other dignitaries were still firmly attached to the popish religion, the extirpation of the whole order, rather than an act of such extraordinary indulgence, might have been expected from the zeal of the preachers, and from the spirit which had hitherto animated the nation. But, on this occasion, other principles obstructed the operation of those which were purely religious. Zeal for liberty, and the love of wealth, two passions extremely opposite, concurred in determining the protestant leaders to fall in with this plan, which deviated so manifestly from the maxims by which they had hitherto regulated their conduct.

If the reformers had been allowed to act without controul, and to level all distinctions in the church, the immense revenues annexed to ecclesiastical dignities could not, with

* Keith, Append. 175. Knox, 194.

any colour of justice, have been retained by those in whose hands they now were, but must either have been distributed among the protestant clergy, who performed all religious offices, or must have fallen to the queen, from the bounty of whose ancestors the greater part of them was originally derived. The former, however suitable to the religious spirit of many among the people, was attended with manifold danger. The popish ecclesiastics had acquired a share in the national property, which far exceeded the proportion that was consistent with the happiness of the kingdom; and the nobles were determined to guard against this evil, by preventing those vast possessions from ever returning into the hands of the church. Nor was the latter, which exposed the constitution to more imminent hazard, to be avoided with less care. Even that circumscribed prerogative which the Scottish kings possessed, was the object of jealousy to the nobles. If they had allowed the crown to seize the spoils of the church, such an increase of power must have followed that accession of property, as would have raised the royal authority above controul, and have rendered the most limited prince in Europe the most absolute and independent. The reign of Henry VIII. presented a recent and alarming example of this nature. The wealth which flowed in upon that prince,

from the suppression of the monasteries, not only changed the maxims of his government, but the temper of his mind; and he who had formerly submitted to his parliaments, and courted his people, dictated from that time to the former with intolerable insolence, and tyrannized over the latter with unprecedented severity. And if his policy had not been extremely short-sighted, if he had not squandered what he acquired with a profusion equal to his rapaciousness, and which defeated his ambition, he might have established despotism in England, on a basis so broad and strong, as all the efforts of the subjects would never have been able to shake. In Scotland, where the riches of the clergy bore a great proportion to the wealth of the kingdom, the acquisition of church lands would have been of no less importance to the crown, and no less fatal to the aristocracy. The nobles, for this reason, guarded against such an increase of the royal power, and thereby secured their own independence.

Avarice mingled itself with their concern for the interest of their order. The reuniting the possessions of the church to the crown, or the bestowing them on the protestant clergy, would have been a fatal blow both to those nobles who had, by fraud or violence, seized part of these revenues, and to those abbots and priors who had totally

renounced their ecclesiastical character. But as the plan which was proposed gave some sanction to their usurpations, they promoted it with their utmost influence. The popish ecclesiastics, though the lopping off a third of their revenues was by no means agreeable to them, consented, under their present circumstances, to sacrifice a part of their possessions in order to purchase the secure enjoyment of the remainder; and after deeming the whole irrecoverably lost, they considered whatever they could retrieve as so much gain. Many of the ancient dignitaries were men of noble birth; and as they no longer entertained hopes of restoring the popish religion, they wished their own relations, rather than the crown, or the protestant clergy, to be enriched with the spoils of the church. They connived, for this reason, at the encroachments of the nobles; they even aided their avarice and violence; they dealt out the patrimony of the church among their own relations, and by granting *feus*, and perpetual leases of lands and tithes, gave, to the utmost of their power, some colour of legal possession to what was formerly mere usurpation. Many vestiges of such alienations still remain *. The nobles, with the concurrence of the incumbents, daily extended their encroachments, and gradually stripped the ecclesiastics of their

* Keith, 507. Spots. 175.

richest and most valuable possessions. Even that third part which was given up in order to silence the clamours of the protestant clergy, and to be some equivalent to the crown for its claims, amounted to no considerable sum. The *thirds* due by the more powerful nobles, especially by those who had embraced the reformation, were almost universally remitted. Others, by producing fraudulent rentals, by estimating the corn and other payments in kind at an under value, and by the connivance of collectors, greatly diminished the charge against themselves *; and the nobles had much reason to be satisfied with a device which, at so small expence, secured to them such vast possessions.

Nor were the protestant clergy considerable gainers by this new regulation; they found it to be a more easy matter to kindle zeal, than to extinguish avarice. Those very men whom formerly they had swayed with absolute authority, were now deaf to all their remonstrances. The prior of St. Andrew's, the Earl of Argyle, the Earl of Morton, and Maitland, all the most zealous leaders of the congregation, were appointed to assign, or, as it was called, to *modify* their stipends. An hundred merks Scots was the allowance which their liberality afforded to the generality of ministers. To a few three hundred merks were granted †.

* Keith, Append. 188. Spots. 183. † Knox, 301.

About twenty-four thousand pounds Scots appears to have been the whole sum allotted for the maintenance of a national church established by law, and esteemed throughout the kingdom the true church of God *. Even this sum was paid with little exactness, and the ministers were kept in the same poverty and dependence as formerly.

1562.] The gentleness of the queen's administration, and the elegance of her court, had mitigated, in some degree, the ferocity of the nobles, and accustomed them to greater mildness and humanity; while at the same time her presence and authority were a check to their factious and tumultuary spirit. But as a state of order and tranquillity was not natural to the feudal aristocracy, it could not be of long continuance; and this year became remarkable for the most violent eruptions of intestine discord and animosity.

Among the great and independent nobles of Scotland, a monarch could possess little authority, and exercise no extensive or rigorous jurisdiction. The interfering of interest, the unsettled state of property, the frequency of public commotions, and the fierceness of their own manners, sowed among the great families the seeds of many quarrels and contentions. These, as we have already observed, were decided not by law, but by violence. The offended baron, without hav-

* Keith, Append. 188.

ing recourse to the monarch, or acknowledging his superior authority, assembled his own followers, and invaded the lands of his rival in an hostile manner. Together with his estate and honours, every nobleman transmitted some hereditary feud to his posterity, who were bound in honour to adopt and to prosecute it with the same inveterate rancour.

Such a dissension had subsisted between the house of Hamilton and the Earl of Bothwell, and was heightened by mutual injuries during the late commotions *. Both the Earl of Arran and Bothwell happening to be in-waiting at the same time, [*February*] their followers quarrelled frequently in the streets of Edinburgh, and excited dangerous tumults in that city. At last the mediation of their friends, particularly of Knox, brought about a reconcilement, but an unfortunate one to both these noblemen †.

A few days after, Arran came to Knox, and, with the utmost terror and confusion, confessed first to him, and then to the prior of St. Andrew's, that, in order to obtain the sole direction of affairs, Bothwell and his kinsmen the Hamiltons had conspired to murder the prior, Maitland, and the other favourites of the queen. The Duke of Chatelherault regarded the prior as a rival who had supplanted him in the queen's favou

* Keith, 215. † Knox, 305.

and who filled that place at the helm which he imagined to be due to himself as first prince of the blood. Bothwell, on account of the personal injuries which he had received from the prior during the late commotions, was no less exasperated against him. But whether he and the Hamiltons had agreed to cement their new alliance with the blood of their common enemy, or whether the conspiracy existed only in the frantic and disordered imagination of the Earl of Arran, it is impossible, amidst the contradiction of historians, and the defectiveness of records, positively to determine. Among men inflamed with resentment, and impatient for revenge, rash expressions might be uttered, and violent and criminal expedients proposed; and on that foundation Arran's distempered fancy might rear the whole superstructure of a conspiracy. All the persons accused denied their guilt with the utmost confidence. But the known characters of the men, and the violent spirit of the age, added greatly to the probability of the accusation, and abundantly justified the conduct of the queen's ministers, who confined Bothwell, Arran, and a few of the ringleaders, in separate prisons, and obliged the duke to surrender the strong castle of Dunbarton, which he had held ever since the time of his resigning the office of regent *.

* Knox, 307, 308. Keith, 202.

The designs of the Earl of Huntly against the prior of St. Andrew's were deeper laid, and produced more memorable and more tragical events. George Gordon, Earl of Huntly, having been one of the nobles who conspired against James III. and who raised his son James IV. to the throne, enjoyed a great share in the confidence of that generous prince *. By his bounty, great accessions of wealth and power were added to a family already opulent and powerful. On the death of that monarch, Alexander, the next earl, being appointed lord lieutenant of all the counties beyond Forth, left the other nobles to contend for offices at court; and retiring to the north, where his estate and influence lay, resided there in a kind of princely independence. The nobles in that part of the kingdom dreaded the growing dominion of such a dangerous neighbour, but were unable to prevent his encroachments. Some of his rivals he secretly undermined, others he subdued by open force. His estate far exceeded that of any other subject, and his *superiorities* and jurisdictions extended over many of the northern counties. With power and possessions so immense, under two long and feeble minorities, and amidst the shock of civil commotions, the Earls of Huntly might have indulged the most elevated hopes. But happily for the crown, an active and enter-

* Crawf. Officers of State, 56.

prising spirit was not the characteristic of that family; and whatever object their ambition might have in view, they chose rather to acquire it by political address, than to seize it openly and by force of arms.

The conduct of George, the present earl, during the late commotions, had been perfectly suitable to the character of the family in that age, dubious, variable, and crafty. While the success of the lords of the congregation was uncertain, he assisted the queen regent in her attempts to crush them. When their affairs put on a better aspect, he pretended to join them, but never heartily favoured their cause. He was courted and feared by each of the contending parties; both connived at his encroachments in the north; and by artifice and force, which he well knew how to employ alternately, and in their proper places, he added every day to the exorbitant power and wealth which he possessed.

He observed the growing reputation and authority of the prior of St. Andrew's with the utmost jealousy and concern, and considered him as a rival who had engrossed that share in the queen's confidence, to which his own zeal for the popish religion seemed to give him a preferable title. Personal injuries soon increased the misunderstanding occasioned by rivalship in power. The queen having determined to reward the services of the

prior of St. Andrew's by creating him an earl, she made choice of Mar as the place whence he should take his title; and that he might be better able to support his new honour, bestowed upon him at the same time [*Feb.* 10,] the lands of that name. These were part of the royal demesnes *, but the Earls of Huntly had been permitted for several years to keep possession of them †. On this occasion, the earl not only complained with some reason of the loss which he sustained, but had real cause to be alarmed at the intrusion of a formidable neighbour into the heart of his territories, who might be able to rival his power, and excite his oppressed vassals to shake off his yoke.

An incident, which happened soon after, [*June* 27,] increased and confirmed Huntly's suspicions. Sir John Gordon, his third son, and Lord Ogilvie had a dispute about the property of an estate. This dispute became a deadly quarrel. They happened, unfortunately, to meet in the streets of Edinburgh, and being both attended with armed followers, a scuffle ensued, in which Lord Ogilvie was dangerously wounded by Sir John. The magistrates seized both the offenders, and the queen commanded them to be strictly confined. Under any regular government, such a breach of public peace and order would expose the person offending to cer-

* Crawf. Peer. 297. † Buch. 334.

tain punishment. At this time, some severity was necessary, in order to vindicate the queen's authority from an insult, the most heinous which had been offered to it since her return into Scotland. But in an age accustomed to licence and anarchy, even this moderate exertion of her power, in ordering them to be kept in custody, was deemed an act of intolerable rigour; and the friends of each party began to convene their vassals and dependants, in order to overawe or to frustrate the decisions of justice *. Mean while, Gordon made his escape out of prison, and flying into Aberdeenshire, complained loudly of the indignity with which he had been treated. And all as the queen's actions were at this juncture imputed to the Earl of Mar, this added not a little to the resentment which Huntly had conceived against that nobleman.

At the very time [*Aug.* 23,] when these passions fermented with the utmost violence in the minds of the Earl of Huntly and his family, the queen happened to set out on a progress into the northern parts of the kingdom. She was attended by the Earls of Mar and Morton, Maitland, and other leaders of that party. The presence of the queen, in a country where no name greater than the Earl of Huntly's had been heard of, and no power superior to his had been exercised for many years, was an event of itself abundantly mor-

* Keith, 223.

tifying to that haughty nobleman. But while the queen was entirely under the direction of Mar, all her actions were more apt to be misrepresented, and construed into injuries; and a thousand circumstances could not but occur to awaken Huntly's jealousy, to offend his pride, and to inflame his resentment. Amidst the agitations of so many violent passions, some eruption was unavoidable.

On Mary's arrival in the north, Huntly employed his wife, a woman capable of executing the commission with abundance of dexterity, to sooth the queen, and to intercede for pardon to their son. But the queen peremptorily required that he should again deliver himself into the hands of justice, and rely on her clemency. Gordon was persuaded to do so; and being enjoined by the queen to enter himself prisoner in the castle of Stirling, he promised likewise to obey that command. Lord Erskine, Mar's uncle, was at that time governor of this fort. The queen's severity, and the place in which she appointed Gordon to be confined, were interpreted to be new marks of Mar's rancour, and augmented the hatred of the Gordons against him.

Mean time, Sir John Gordon set out towards Stirling [*Sep.* 1,]; but instead of performing his promise to the queen, made his escape from his guards, and returned to take the command of his followers, who were rising in arms all over the north. These were destined to se-

cond and improve the blow, by which his father proposed, secretly and at once, to cut off Mar, Morton and Maitland, his principal adversaries. The time and place for perpetrating this horrid deed were frequently appointed; but the execution of it was wonderfully prevented, by some of those unforeseen accidents which so often occur to disconcert the schemes, and to intimidate the hearts of assassins *. His own house at Strathbogie was the last and most convenient scene appointed for committing the intended violence. But on her journey thither, the queen heard of young Gordon's flight and rebellion, and refusing, in the first transports of her indignation, to enter under his father's roof, by that fortunate expression of her resentment, saved her ministers from unavoidable destruction †.

The ill success of these efforts of private revenge precipitated Huntly into open rebellion. As the queen was entirely under the direction of his rivals, it was impossible to work their ruin without violating the allegiance which he owed his sovereign. On her arrival at Inverness, the commanding officer in the castle, by Huntly's order, shut the gates against her. Mary was obliged to lodge in the town, which was open and defenceless; but this too was quickly surrounded by a multitude of the earl's followers ‡. The utmost

* Keith, 230. † Knox, 318. ‡ Crawf. Officers of State, 87, 88.

consternation seized the queen, who was attended by a very slender train. She every moment expected the approach of the rebels, and some ships were already ordered into the river to secure her escape. The loyalty of the Monroes, Frazers, Mackintoshes, and some neighbouring clans, who took arms in her defence, saved her from this danger. By their assistance she even forced the castle to surrender, and inflicted on the governor the punishment which his insolence deserved.

This open act of disobedience was the occasion of a measure more galling to Huntly than any the queen had hitherto taken. Lord Erskine having pretended a right to the earldom of Mar, Stewart resigned it in his favour; and at the same time Mary conferred upon him the title of Earl of Murray, with the estate annexed to that dignity, which had been in the possession of the Earl of Huntly since the year 1548 *. From this he concluded that his family was devoted to destruction; and dreading to be stripped, piecemeal, of these possessions which, in reward of their services, the gratitude of the crown had bestowed on himself or his ancestors, he no longer disguised his intentions; but, in defiance of the queen's proclamation, openly took arms. Instead of yielding those places of strength, which Mary required him to surrender, his followers dispersed or cut in pieces the parties

* Crawf. Peer. 357.

which she dispatched to take possession of them*; and he himself, advancing with a considerable body of men towards Aberdeen, to which place the queen was now returned, filled her small court with the utmost consternation. Murray had only a handful of men in whom he could confide †. In order to form the appearance of an army, he was obliged to call in the assistance of the neighbouring nobles; but as most of these either favoured Huntly's designs, or stood in awe of his power, from them no cordial or effectual service could be expected.

With these troops, Murray, who could gain nothing by delay, marched briskly towards the enemy. [*Oct.* 28.] He found them at Corrichie, posted to great advantage. He commanded his northern associates instantly to begin the attack; but on the first motion of the enemy, they treacherously turned their backs; and Huntly's followers, throwing aside their spears, and breaking their ranks, drew their swords, and rushed forward to the pursuit. It was then that Murray gave proof both of steady courage and of prudent conduct. He stood immoveable, on a rising ground, with the small but trusty body of his adherants, who presenting their spears to the enemy, received them with a determined resolution, which they little expected. The Highland broadsword is not a weapon fit to

* Knox, 319. † Keith, 230.

encounter the Scottish spear. In every civil commotion, the superiority of the latter has been evident, and has always decided the contest. On this occasion, the irregular attack of Huntly's troops was easily repulsed by Murray's firm battalion. Before they recovered from the confusion occasioned by this unforeseen resistance, those who had begun the flight, willing to regain their credit with the victorious party, fell upon them, and completed the rout. Huntly himself, who was extremely corpulent, was trodden to death in the pursuit. His sons, Sir John and Adam, were taken, and Murray returned in triumph to Aberdeen with his prisoners.

The trial of men taken in actual rebellion against their sovereign was extremely short. Three days after the battle, Sir John Gordon was behcaded at Aberdeen. His brother Adam was pardoned on account of his youth. Lord Gordon, who had been privy to his father's designs, was seized in the south, and, upon trial, found guilty of treason; but, through the queen's clemency, the punishment was remitted. The first parliament proceeded against this great family with the utmost rigour of law, and reduced their power and fortune to the lowest ebb *.

* This conspiracy of the Earl of Huntly is one of the most intricate and mysterious passages in the Scottish history. As it was a transaction purely domestic, and in which the English were little interested, few original papers concerning it have been found in Cecil's

As the fall of the Earl of Huntly is the most important event of this year, it would

Collection, the great storehouse of evidence and information with regard to the affairs of this period.

Buchanan supposes Mary to have formed a design, about this time, of destroying Murray, and of employing the power of the Earl of Huntly for this purpose. But his account of this whole transaction appears to be so void of truth, and even of probability, as to deserve no serious examination. At that time Mary wanted power, and seems to have had no inclination, to commit any act of violence upon her brother.

Two other hypotheses have been advanced, in order to explain this matter; but they appear to be equally removed from truth.

I. It cannot well be conceived, that the queen's journey to the north was a scheme concerted by Murray, in order to ruin the Earl of Huntly. 1. Huntly had resided at court almost ever since the queen's return. Keith, 198. Append. 175, &c. This was the proper place in which to have seized him. To attack him in Aberdeenshire, the seat of his power, and in the midst of his vassals, was a project equally absurd and hazardous. 2. The queen was not accompanied with a body of troops capable of attempting any thing against Huntly by violence; her train was not more numerous than was usual in times of greatest tranquillity. Keith, 230. 3. There remain two original letters with regard to this conspiracy; one from Randolph the English resident, and another from Maitland, both directed to Cecil. They talk of Huntly's measures as notoriously treasonable. Randolph mentions his repeated attempts to assassinate Murray, &c. No hint is given of any previous resolution formed by Mary's ministers to ruin Huntly and his family. Had any such design ever existed, it was Randolph's duty to have discovered it; nor would Maitland have laboured to conceal it from the English secretary. Keith, 229, 232.

have been improper to interrupt the narrative, by taking notice of lesser transactions, which may now be related with equal propriety.

In the beginning of the summer, Mary, who was desirous of entering into more intimate correspondence and familiarity with Elizabeth, employed Maitland to desire a personal interview with her, somewhere in the north of England. As this proposal could not be rejected with decency, the time, the place, and the circumstances of the meeting, were instantly agreed upon. But Elizabeth

II. To suppose that the Earl of Huntly had laid any plan for seizing the queen and her ministers, seems to be no less improbable. 1. On the queen's arrival in the north, he laboured in good earnest to gain her favour, and to obtain a pardon for his son. Knox, 318. 2. He met the queen, first at Aberdeen, and then at Rothemay, whether he would not have ventured to come, had he harboured any such treasonable resolution. Knox, 318. 3. His conduct was irresolute and wavering, like that of a man disconcerted by an unforeseen danger, not like one executing a concerted plan. 4. The most considerable persons of his clan submitted to the queen, and found surety to obey her commands. Keith, 226. Had the Earl been previously determined to rise in arms against the queen, or to seize her ministers, it is probable he would have imparted it to his principal followers, nor would they have deserted him in this manner.

For these reasons, we have, on the one hand, vindicated the Earl of Murray from any deliberate intention of ruining the family of Gordon; and, on the other hand, we have imputed the violent conduct of the Earl of Huntly to a sudden start of resentment, without charging him with any premeditated purpose of rebellion.

was prudent enough not to admit into her kingdom, a rival who outshone herself so far in beauty and gracefulness of person, and who excelled so eminently in all the arts of insinuation and address. Under pretence of being confined to London, by the attention which she was obliged to give to the civil wars in France, she put off the interview for that season *, and prevented her subjects from seeing the Scottish queen, the charms of whose appearance and behaviour she envied, and had some reason to dread.

During this year, the assembly of the church met twice, [*June* 2, *Dec.* 25.] In both these meetings were exhibited many complaints of the poverty and dependence of the church; and many murmurs against the negligence or avarice of those who had been appointed to collect and to distribute the small fund appropriated for the maintenance of preachers †. A petition, craving redress of their grievances, was presented to the queen, but without any effect. There was no reason to expect that Mary would discover any forwardness to grant the requests of such supplicants. And as her ministers, though all most zealous protestants, were themselves growing rich on the inheritance of the church, they were equally regardless of the indigence and demands of their brethren.

1563.] Mary had now continued about two years in a state of widowhood. Her gentle

* Keith, 216. † Knox, 311, 323.

administration had secured the hearts of her subjects, who were impatient for her marriage, and wished the crown to descend in the right line from their ancient monarchs. She herself was the most amiable woman of the age; and the fame of her accomplishments, together with the favourable circumstance of her having one kingdom already in her possession, and the prospect of mounting the throne of another, prompted many different princes to solicit an alliance so illustrious. Scotland, by its situation, threw so much weight and power into whatever scale it fell, that all Europe waited with solicitude for Mary's determination; and no event in that age excited stronger political fears and jealousies, none interested more deeply the passions of several princes, or gave rise to more contradictory intrigues, than the marriage of the Scottish queen.

The princes of the house of Austria remembered what vast projects the French had founded on their former alliance with the queen of Scots; and though the unexpected death, first of Henry, and then of Francis, had hindered these from taking effect, yet if Mary should again make choice of a husband among the French princes, the same designs might be revived and prosecuted with better success.

In order to prevent this, the emperor entered into a negociation with the cardinal of

Lorrain, who had proposed to marry the Scottish queen to the archduke Charles Ferdinand's third son. The matter was communicated to Mary; and Melvil, who at that time attended the elector palatine, was commanded to inquire into the character and situation of the archduke *.

Philip II. though no less apprehensive of Mary's falling once more into the hands of France, envied his uncle Ferdinand the acquisition of so important a prize; and as his own insatiable ambition grasped at all the kingdoms of Europe, he employed his ambassador at the French court to solicit the princes of Lorrain in behalf of his son Don Carlos, at that time the heir of all the extensive dominions which belonged to the Spanish monarchy †.

Catherine of Medicis, on the other hand, dreaded the marriage of the Scottish queen to any of the Austrian princes, which would have added so much to the power and pretensions of that ambitious race. Her jealousy of the princes of Lorrain rendered her no less averse from an alliance which, by securing them the protection of the emperor or king of Spain, would give new boldness to their enterprising spirit, and enable them to set the power of the crown, which they already rivalled, at open defiance: and as she

* Melv. 63, 65. Keith, 239. See Append. No. VII.
† Castaln. 461. Addit. de Labor. 501, 503.

was afraid that these splendid proposals of the Austrian family would dazzle the young queen, she instantly dispatched Castelnau into Scotland, to offer her in marriage the Duke of Anjou, the brother of her former husband, who soon after mounted the throne of France *.

Mary attentively weighed the pretensions of so many rivals. The archduke had little to recommend him, but his high birth. The example of Henry VIII. was a warning against contracting a marriage with the brother of a former husband; nor could she bear the thoughts of appearing in France in a rank inferior to that which she had formerly held in that kingdom. She listened, therefore, with partiality to the Spanish propositions; and the prospect of such vast power and dominions flattered the ambition of a young and aspiring princess.

Three several circumstances, however, concurred to divert Mary from any thoughts of a foreign alliance.

The first of these was the murder of her uncle the Duke of Guise. The violence and ambition of that nobleman had involved his country in a civil war, which was conducted with furious animosity and various success. At last the duke laid siege to Orleans, the bulwark of the protestant cause; and he had reduced that city to the last extremity, when

* Castelnau, 461.

he was assassinated by the frantic zeal of Poltrot. This blow proved fatal to the queen of Scots. The young duke was a minor; and the cardinal, though subtile and intriguing, wanted that undaunted and enterprising courage which rendered the ambition of his brother so formidable. Catherine, instead of encouraging the ambition, or furthering the pretensions of her daughter-in-law, took pleasure in mortifying the one, and in disappointing the other. In this situation, and without such a protector, it became necessary for Mary to contract her views, and to proceed with caution; and whatever prospect of advantage might allure her, she could venture upon no dangerous or doubtful measure.

The second circumstance which weighed with Mary, was the opinion of the queen of England. The marriage of the Scottish queen interested Elizabeth more deeply than any other prince; and she observed all her deliberations concerning it with the most anxious attention. She herself seems early to have formed a resolution of living unmarried; and she discovered no small inclination to impose the same law on the queen of Scots. She had already experienced what use might be made of Mary's power and pretensions to invade her dominions, and to disturb her possession of the crown. The death of Francis II. had happily delivered

her from this danger, which she determined to guard against for the future with the utmost care. And as the restless ambition of the Austrian princes, the avowed and bigotted patrons of the catholic superstition, made her in a particular manner dread their neighbourhood, she instructed Randolph to remonstrate in the strongest terms against any alliance with them; and to acquaint Mary, that as she herself would consider such a match to be a breach of the personal friendship in which they were so happily united, so the English nation would regard it as the dissolution of that confederacy which now subsisted between the two kingdoms: That in order to preserve their own religion and liberties, they would in all probability take some step prejudicial to her right of succession, which, as she well knew, they neither wanted power nor pretences to invalidate and set aside. This threatening was accompanied with a promise, but expressed in very ambiguous terms, that if Mary's choice of a husband should prove agreeable to the English nation, Elizabeth would appoint proper persons to examine her title to the succession, and if well founded, command it to be publicly recognised. She observed, however, a mysterious silence concerning the person on whom she wished the choice of the Scottish queen to fall. The revealing of this secret was reserved for some future negocia-

tion. Mean while, she threw out some obscure hints that a native of Britain, and not of princely rank, would be her safest and most inoffensive choice *. An advice, offered with such an air of superiority and command, mortified, no doubt, the pride of the Scottish queen. But, under her present circumstances, she was obliged to bear this indignity. Destitute of all foreign assistance, and intent upon the English succession, the great object of her wishes and ambition, it became necessary to court a rival whom, without manifest imprudence, she could not venture to offend.

The inclination of her own subjects was another, and not the least considerable circumstance which called for Mary's attention at this conjuncture. They had been taught, by the fatal experiment of her former marriage, to dread an union with any great prince, whose power might be employed to oppress their religion and liberties. They trembled at the thoughts of a match with a foreigner; and if the crown should be strengthened by new dominions or alliances, they foresaw that the royal prerogative would soon be stretched beyond its ancient and legal limits. Their eagerness to prevent this, could scarce fail of throwing them into the arms of England. Elizabeth would be ready to afford them her aid towards obstructing a a measure so disagreeable to herself. It was

* Keith, 242, 245.

easy for them to seize the person of their sovereign. By the assistance of the English fleet, they could render it difficult for any foreign prince to land in Scotland. The Roman catholics, now an inconsiderable party in the kingdom, and dispirited by the loss of the Earl of Huntly, could give no obstruction to their designs. To what violent extremes the national abhorrence of a foreign yoke might have been carried, is manifest from the transactions both previous and subsequent to the present period.

For these reasons, Mary laid aside at that time all thoughts of a foreign alliance, and seemed willing to sacrifice her own ambition, in order to remove the jealousies of Elizabeth, and to quiet the fears of her own subjects.

The parliament met this year, [*May* 26,] for the first time since the queen's return into Scotland. Mary's administration had hitherto been extremely popular. Her ministers possessed the confidence of the nation; and by consequence, the proceedings of that assembly were conducted with perfect unanimity. The grant of the earldom of Murray to the prior of St. Andrew's was confirmed: the Earl of Huntly, and several of his vassals and dependants, were attainted: the attainder against Kirkaldy of Grange, and some of his accomplices in the murder of cardinal Beatoun, was reversed *: the act of oblivion, men-

* Knox, 330.

tioned in the treaty of Edinburgh, received the royal sanction. But Mary, who had determined never to ratify that treaty, took care that this sanction should not be deemed any acknowledgment of its validity; she granted her consent merely in condescension to the lords in parliament, who, on their knees, besought her to allay the jealousies and apprehensions of her subjects by such a gracious law *.

No attempt was made, in this parliament, to procure the queen's assent to the laws establishing the protestant religion. Her ministers, though zealous protestants themselves, were aware that this could not be urged without manifest danger and imprudence. She had consented, through their influence, to tolerate and protect the reformed doctrine. They had even prevailed on her to imprison and prosecute the archbishop of St. Andrew's and prior of Whithorn for celebrating mass contrary to her proclamation †. Mary, however, was still passionately devoted to the Romish superstition. Though, from political motives, she had granted a temporary indulgence to opinions which she disapproved, there were no grounds to hope that she would agree to establish them for perpetuity. The moderation of those who professed it, was the best method for reconciling the queen to the pro-

* Spots. 188. † Keith, 239.

testant religion. Time might abate her bigotry; her prejudices might wear off gradually; and at last she might yield to the wishes of her people, what their importunity or their violence could never have extorted. Many laws of importance were to be proposed in parliament; and to defeat all these by such a fruitless and ill-timed application to the queen, would have been equally injurious to individuals and detrimental to the public.

The zeal of the protestant clergy was deaf to all these considerations of policy. Eager and impatient, it brooked no delay. Severe and inflexible, it would condescend to no compliances. The leading men of that order insisted that this opportunity of establishing religion by law was not to be neglected. They pronounced the moderation of the courtiers, apostacy; and their endeavours to gain the queen, they reckoned criminal and servile. Knox solemnly renounced the friendship of the Earl of Murray as a man devoted to Mary, and so blindly zealous for her service, as to become regardless of those objects which he had hitherto esteemed most sacred. This rupture, which is a strong proof of Murray's sincere attachment to the queen at that period, continued above a year and an half *.

The preachers being disappointed by the men in whom they placed the greatest confi-

* Knox, 331.

dence, gave vent to their indignation in their pulpits. These echoed more loudly than ever with declarations against idolatry, with dismal presages concerning the queen's marriage with a foreigner, and with bitter reproaches against those who, from interested motives, had deserted that cause which they once reckoned it their honour to support. The people, inflamed by these vehement declamations, which were dictated by a zeal more sincere than prudent, proceeded to rash and unjustifiable acts of violence, [*August*]. During the queen's absence on a progress into the west, mass continued to be celebrated in her chapel at Holyroodhouse. The multitude of those who openly resorted thither gave great offence to the citizens of Edinburgh, who, being free from the restraint which the royal presence imposed, assembled in a riotous manner, interrupted the service, and filled those who were present with the utmost consternation. Two of the ringleaders in this tumult were seized, and a day appointed for their trial *.

Knox, who esteemed the zeal of these persons laudable, and their conduct meritorious, considered them as sufferers in a good cause; and in order to screen them from danger, he issued circular letters, [*Oct.* 8,] requiring all who professed the true religion, or were concerned for the preservation of it, to assemble

* Knox, 335.

at Edinburgh on the day of trial, and by their presence to comfort and assist their distressed brethren *. One of these letters fell into the queen's hands. To assemble the subjects without the authority of the sovereign, was construed to be treason, and a resolution was taken to prosecute Knox for that crime before the privy council, [*Dec.* 15.] Happily for him, his judges were not only zealous protestants, but the very men who, during the late commotions, had openly resisted and set at defiance the queen's authority. It was under precedents drawn from their conduct that Knox endeavoured to shelter himself. Nor would it have been an easy matter for these counsellors to have found out a distinction, by which they could censure him, without condemning themselves. After a long hearing, he was unanimously acquitted. Sinclair bishop of Ross, and president of the Court of Session, a zealous papist, heartily concurred with the other counsellors in this decision †; a remarkable fact, which shows the unsettled state of government in that age; the low condition to which regal authority was then sunk; and the impunity with which subjects might invade those rights of the crown which are now held sacred.

1564.] The marriage of the Scottish queen continued still to be the object of attention and intrigue. Though Elizabeth, even while

* Knox, 236. † Ibid. 343.

she wished to direct Mary, treated her with a disgustful reserve; though she kept her without necessity in a state of suspence, and hinted often at the person whom she destined to be her husband, without directly mentioning his name; yet Mary framed all her actions to express such a prudent respect for the English queen, that foreign princes began to imagine she had given herself up implicitly to her direction *. The prospect of this union alarmed Catherine of Medicis. Though Catherine had taken pleasure all along in doing ill offices to the queen of Scots; though, soon after the Duke of Guise's death, she had put upon her a most mortifying indignity, by stopping the payment of her dowry, by depriving her subject the Duke of Chatelherault of his pension, and by bestowing the command of the Scottish Guards on a Frenchman †; she resolved, however, to prevent this dangerous conjunction of the British queens. For this purpose, she now employed all her art to appease Mary ‡, to whom she had given so many causes of offence. The arrears of her dowry were instantly paid; more punctual remittances were promised for the future; and offers made, not only to restore, but to extend the privileges of the Scottish nation in France. It was easy for Mary to pene-

* Keith, 248. † Id. 244.
‡ See Appendix, No. VIII.

trate into the motives of this sudden change; she well knew the character of her mother-in-law, and laid little stress upon professions of friendship which came from a princess of such a false and unfeeling heart.

The negociation with England, relative to the marriage, suffered no interruption from this application of the French queen. As Mary, in compliance to her subjects, and pressed by the strongest motives of interest, determined speedily to marry, Elizabeth was obliged to break that unaccountable silence which she had hitherto affected. The secret was disclosed, [*March*] and her favourite, Lord Robert Dudley, afterwards Earl of Leicester, was declared to be the happy man whom she had chosen to be the husband of a queen courted by so many princes *.

Elizabeth's wisdom and penetration were remarkable in the choice of her ministers; in distinguishing her favourites, those great qualities were less conspicuous. She was influenced, in two cases so opposite, by merit of very different kinds. Their capacity for business, their knowledge, their prudence, were the talents to which alone she attended in choosing her ministers; whereas beauty and gracefulness of person, polished manners, and courtly address, were the accomplishments on which she bestowed her favour. She acted in the one case with the wisdom of a

* Keith, 251.

queen; in the other, she discovered the weakness of a woman. To this Leicester owed his grandeur. Though remarkable neither for eminence in virtue, nor superiority of abilities, the queen's partiality distinguished him on every occasion. She raised him to the highest honours, she bestowed on him the most important employments, and manifested an affection so disproportionate to his merit, that, in the opinion of that age, it could be accounted for only by the power of planetary influence *.

The high spirit of the Scottish queen could not well bear the first overture of a match with a subject. Her own rank, the splendour of her former marriage, and the solicitations at this time of so many powerful princes, crowded into her thoughts, and made her sensibly feel how humbling and disrespectful Elizabeth's proposal was. She dissembled, however, with the English resident; and though she declared in strong terms what a degradation she would deem this alliance, which brought along with it no advantage that could justify such neglect of her own dignity, she mentioned the Earl of Leicester, notwithstanding, in terms full of respect †.

Elizabeth, we may presume, did not wish that the proposal should be received in any other manner. After the extraordinary marks

* Camden, 549. † Keith, 252.

she had given of her own attachment to Leicester, and while he was still in the very height of favour, it is not probable she could think seriously of bestowing him upon another. It was not her aim to persuade, but only to amuse Mary *. Almost three years were elapsed since her return into Scotland; and though solicited by her subjects, and courted by the greatest princes in Europe, she had hitherto been prevented from marrying, chiefly by the artifices of Elizabeth. And if at this time the English queen could have engaged Mary to listen to her proposal in favour of Leicester, her power over this creature of her own would have enabled her to protract the negociation at pleasure; and by keeping her rival unmarried, she would have rendered the prospect of her succession less acceptable to the English.

Leicester's own situation was extremely delicate and embarrassing. To gain possession of the most amiable woman of the age, to carry away this prize from so many contending princes, to mount the throne of an ancient kingdom, might have flattered the ambition of a subject much more considerable than him. He saw all these advantages, no doubt; and in secret they made their full impression on him. But, without offending Elizabeth, he durst not venture on the most distant discovery of his sentiments, or take any step to-

* Melv. 104, 105.

wards facilitating his acquisition of objects so worthy of desire.

On the other hand, Elizabeth's partiality towards him, which she was at no pains to conceal *, might inspire him with hopes of attaining the supreme rank in a kingdom more illustrious than Scotland. Elizabeth had often declared, that nothing but her resolution to lead a single life, and his being born her own subject, would have hindered her from choosing the Earl of Leicester for a husband. Such considerations of prudence, are, however, often surmounted by love; and Leicester might flatter himself that the violence of her affection would at length triumph both over the maxims of policy and the scruples of pride. These hopes induced him now and then to conclude the proposal of his marriage with the Scottish queen to be a project for his destruction; and he imputed it to the malice of Cecil, who, under the specious pretence of doing him honour, intended to ruin him in the good opinion both of Elizabeth and Mary †.

A treaty of marriage, proposed by one queen, who dreaded its success; listened to by another, who was secretly determined against it; and scarcely desired by the man himself, whose interest and reputation it was calculated in appearance to promote; could not, under so many unfavourable circumstan-

* Melv. 93, 94. † Ibid. 101.

ces, be brought to a fortunate issue. Both Elizabeth and Mary continued, however, to act with equal dissimulation. The former, notwithstanding her fears of losing Leicester, solicited warmly in his behalf. The latter, though she began about this time to cast her eyes upon another subject of England, did not at once venture finally to reject Elizabeth's favourite.

The person towards whom Mary began to turn her thoughts, was Henry Stewart Lord Darnly, eldest son of the Earl of Lennox. That nobleman having been driven out of Scotland under the regency of the Duke of Chatelherault, had lived in banishment for twenty years. His wife, lady Margaret Douglas, was Mary's most dangerous rival in her claim upon the English succession. She was the daughter of Margaret, the eldest sister of Henry VIII. by the Earl of Angus, whom that queen married after the death of her husband James IV. In that age, the right and order of succession was not settled with the same accuracy as at present. Time, and the decision of almost every case that can possibly happen, have at last introduced certainty into a matter, which naturally is subject to all the variety arising from the caprice of lawyers, guided by obscure and often imaginary analogies. Lady Lennox, though born of a second marriage, was one degree nearer the royal blood of England than Mary. She was

the daughter, Mary only the grand-daughter of Margaret. This was not the only advantage over Mary which Lady Lennox enjoyed. She was born in England, and by a maxim of law in that country, with regard to private inheritances, "whoever is not born in England, or at least of parents who, at the time of his birth, were in the obedience of the king of England, cannot enjoy any inheritance in that kingdom*." This maxim, Hales, an English lawyer, produced in a treatise which he published at this time, and endeavoured to apply it to the right of succession to the crown. In a private cause, these pretexts might have given rise to a long and doubtful litigation; where a crown was at stake, such nice disputes and subtilties were to be avoided with the utmost care. If Darnly should happen to contract an alliance with any of the powerful families in England, or should publicly profess the protestant religion, these plausible and popular topics might be so urged, as to prove fatal to the pretensions of a foreigner and a papist.

Mary was aware of all this; and in order to prevent any danger from that quarter, had early endeavoured to cultivate a friendly correspondence with the family of Lennox. In the year 1562†, both the earl and lady Margaret were taken into custody by Elizabeth's

* Carte, Hist. of Eng. vol. iii. 422. † Camd. 389.
† Ibid 389.

orders, on account of their holding a secret correspondence with the Scottish queen.

From the time that Mary became sensible of the difficulties which would attend her marrying a foreign prince, she entered into a still closer connection with the Earl of Lennox *, and invited him to return into Scotland. This she endeavoured to conceal from Elizabeth; but a transaction of so much importance did not escape the notice of that discerning princess. She observed, but did not interrupt it. Nothing could fall in more perfectly with her views concerning Scottish affairs. She was pleased to see the pride of the Scottish queen stoop, at last, to the thoughts of taking a subject to her bed. Darnly was in no situation to excite her jealousy or her fears. His father's estate lay in England, and by means of this pledge, she hoped to keep the negociation entirely in her own hands, and to play the same game of artifice and delay which she had planned out, if her recommendation of Leicester had been more favourably received.

As before the union of the two crowns, no subject of one kingdom could pass into the other without the permission of both sovereigns; no sooner did Lennox, under pretence of prosecuting his wife's claim upon the earldom of Angus, apply to Elizabeth for her licence to go into Scotland, than he obtained it. Together with it, she gave him

* Cambd. 389.

letters, warmly recommending his person and cause to Mary's friendship and protection *. But at the same time, as it was her manner to involve all her transactions with regard to Scotland in some degree of perplexity and contradiction, she warned Mary, that this indulgence to Lennox might prove fatal to herself, as his return could not fail of reviving the ancient animosity between him and the house of Hamilton.

This admonition gave umbrage to Mary, and drew from her an angry reply, which occasioned, for some time, a total interruption of all correspondence between the two queens †. Mary was not a little alarmed at this: she both dreaded the effects of Elizabeth's resentment, and suffered by being deprived of a free intercourse with England, where her ambassadors had all along carried on, with some success, secret negociations, which increased the number of her partizans, and paved her way towards the throne. In order to remove the causes of the present difficulty, Melvil was sent express to the court of England. He found it no difficult matter to bring about a reconcilement; and soon re-established the appearance, but not the confidence of friendship, which was all that had subsisted, for some time, between the two queens.

* Keith, 255, 268. † Ibid. 253. Melv. 83.

During this negociation, Elizabeth's professions of love to Mary, and Melvil's replies in the name of his mistress, were made in the language of the warmest and most cordial friendship. But what Melvil truly observes with respect to Elizabeth, may be extended without injustice to both queens: "There was neither plain dealing, nor upright meaning, but great dissimulation, envy and fear *."

Lennox, however, in consequence of the licence which he had obtained, set out for Scotland, and was received by the queen, not only with the respect due to a nobleman so nearly allied to the royal family, but treated with a distinguished familiarity, which could not fail of inspiring him with more elevated hopes. The rumour of his son's marriage to the queen began to spread over the kingdom; and the eyes of all Scotland were turned upon him as the father of their future master. The duke of Chatelherault was the first to take the alarm. He considered Lennox as the ancient and hereditary enemy of the house of Hamilton; and in his grandeur saw the ruin of himself and his friends. But the queen interposed her authority to prevent any violent rupture, and employed all her influence to bring about an accommodation of their differences †.

The powerful family of Douglas no less dreaded Lennox's return, from an apprehen-

* Melv. 104. † Keith, 259.

sion that he would wrest the earldom of Angus out of their hands. But the queen, who well knew how dangerous it would be to irritate Morton, and other great men of that name, prevailed on Lennox to purchase their friendship, by allowing his lady's claim upon the earldom of Angus to drop *.

After these preliminary steps, Mary ventured to call a meeting of parliament, [*December*]. The act of forfeiture passed against Lennox in the year 1545 was repealed, and he was publicly restored to the honours and estate of his ancestors †.

The ecclesiastical transactions of this year were not considerable. In the assemblies of the church, [*June* 25, *Dec.* 25,] the same complaints of the increase of idolatry, the same representations concerning the poverty of the clergy, were renewed. The reply which the queen made to these, and her promises of redress, were more satisfying to the protestants, than any they had hitherto obtained ‡. But, notwithstanding these declarations in their favour, they could not help harbouring many suspicions concerning Mary's designs against their religion. She had never once consented to hear any preacher of the reformed doctrine. She had abated nothing of her bigotted attachment to the Romish faith. The genius of that superstition, averse at all times from

* Keith, 268. Note (B). † See Append. No. IX.
‡ Keith, 533, 539.

toleration, was in that age fierce and unrelenting. Mary had given her friends on the continent repeated assurances of her resolution to re-establish the catholic church *. She had industriously avoided every opportunity of ratifying the acts of parliament 1560 in favour of the reformation. Even the protection which ever since her return she had afforded the protestant religion, was merely temporary, and declared by her own proclamation to be of force only "till she should take some final order in the matter of religion †." The vigilant zeal of the preachers was inattentive to none of these circumstances. The coldness of their principal leaders, who were at this time entirely devoted to the court, added to their jealousies and fears. These they uttered to the people in language which they esteemed suitable to the necessity of the times, and which the queen reckoned disrespectful and insolent. In a meeting of the General Assembly, Maitland publicly accused Knox of teaching seditious doctrine, concerning the rights of subjects to resist those sovereigns who trespass against the duty which they owe to the people. Knox was not backward to justify what he had taught. And upon this general doctrine of resistance, so just in its own nature, but so delicate in its application to particular cases, there ensued a debate, which admir-

* Carte, vol. iii. 415. † Keith, 504, 510.

ably displays the talents and character of both the disputants: the acuteness of the former, embellished with learning, but prone to subtlety; the vigorous understanding of the latter, delighting in bold sentiments, and superior to all fear *.

1565.] Two years had already been consumed, in fruitless negociations concerning the marriage of the Scottish queen. Mary had full leisure and opportunity to discern the fallacy and deceit of all Elizabeth's proceedings with respect to that affair. But in order to set the real intentions of the English queen in a clear light, and to bring her to some explicit declaration of her sentiments, Mary at last intimated to Randolph [*Feb.* 5], that, on condition her right of succession to the crown of England were publicly acknowledged, she was ready to yield to the solicitations of his mistress in behalf of Leicester †. Nothing could be farther than this from the mind and intention of Elizabeth. The right of succession was a mystery which, during her whole reign, her jealousy preserved untouched and unexplained. She had promised, however, when she first began to interest herself in the marriage of the Scottish queen, all that was now demanded. How to retreat with decency, how to elude her former offer, was, on that account, not a little perplexing.

* Knox, 349. † Keith, 269.

The facility with which Lord Darnly obtained permission to visit the court of Scotland, was owing in all probability to that embarrassment. From the time of Melvil's embassy, Lady Lennox had warmly solicited this liberty for her son. Elizabeth was no stranger to the ambitious hopes with which that young nobleman flattered himself. She had received repeated advices from her ministers, of the sentiments which Mary began to entertain in his favour *. It was entirely in her power to prevent his stirring out of London. In the present conjuncture, however, nothing could be of more advantage to her than Darnly's journey into Scotland. She had already brought one actor upon the stage, who, under her management, had for a long time amused the Scottish queen. She hoped no less absolutely to direct the motions of Darnly, who was likewise her subject, and again to involve Mary in all the tedious intricacies of negociation. These motives determined Elizabeth and her ministers to yield to the solicitations of Lady Lennox.

But this deep laid scheme was in a moment disconcerted. Such unexpected events as the fancy of poets ascribes to love, are, at some times, really produced by that passion. An affair, which had been the object of so many political intrigues, and had moved and interested so many princes, was at last decid-

* Keith, 259, 261, 266.

ed by the sudden liking of two young persons. Lord Darnly was at this time in the first bloom and vigour of youth. In beauty and gracefulness of person, he surpassed all his cotemporaries; he excelled eminently in those arts which add ease and elegance to external form, and which enable it not only to dazzle, but to please. Mary was of an age, and of a temper, to feel the full power of these accomplishments. The impression which Lord Darnly made upon her, was visible from the time of their first interview, [*Feb.* 13.] The whole business of the court was to amuse and entertain this illustrious guest *; and in all these scenes of gaiety, Darnly, whose qualifications were altogether superficial and showy, appeared to great advantage. His conquest of the queen's heart became complete; and inclination now prompted her to conclude a marriage, the first thoughts of which had been suggested by considerations merely political.

Elizabeth contributed, and perhaps not without design, to increase the violence of this passion. Soon after Darnly's arrival in Scotland, she, in return to that message whereby Mary had signified her willingness to accept of Leicester, gave an answer in such terms as plainly unravelled her original intention in that intrigue †. She promised, if the Scottish queen's marriage with Leices-

* Knox, 369. † Keith, 270. Append. 158.

ter should take place, to advance him to great honours; but with regard to her title to the English succession, she would neither suffer any legal inquiry to be made concerning it, nor permit it to be publicly recognised, till she herself should declare her resolution never to marry. Mary, notwithstanding Elizabeth's former promises, had reason to expect every thing contained in this reply: her high spirit, however, could not bear with patience such a cruel discovery of the contempt, the artifice, and mockery, with which, under the veil of friendship, she had been so long abused. She burst into tears of indignation, and expressed, with the utmost bitterness, her sense of that disingenuous craft which had been employed to deceive her *.

The natural effect of this indignation was, to add to the impetuosity with which she pursued her own scheme. Blinded by resentment, as well as by love, she observed no defects in the man whom she had chosen; and began to take the necessary steps towards accomplishing her design, with all the impatience natural to those passions.

As Darnly was so nearly related to the queen, the canon law made it necessary to obtain the pope's dispensation before the celebration of the marriage. For this purpose, she early set on foot a negociation with the court of Rome †.

* Keith, Append. 159. † Cambd. 396.

She was busy, at the same time, in procuring the consent of the French king and his mother. Having communicated her design, and the motives which determined her choice, to Castelnau the French ambassador, she employed him as the most proper person to bring his court to fall in with her views. Among other arguments to this purpose, Castelnau mentioned Mary's attachment to Darnly, which he represented to be so violent and deep-rooted, that it was no longer in her own power to break off the match *. Nor were the French ministers backward in encouraging Mary's passion. Her pride would never stoop to an alliance with a subject of France. By this choice, they were delivered from the apprehension of a match with any of the Austrian princes, as well as the danger of too close an union with Elizabeth. And as Darnly professed the Roman catholic religion, this suited the bigotted schemes which that court had adopted.

While Mary was endeavouring to reconcile foreign courts to a measure which she had so much at heart, Darnly and his father, by their behaviour, were raising up enemies at home to obstruct it. Lennox had, during the former part of his life, discovered no great compass of abilities or political wisdom, and appears to have been a man of weak understanding, and violent passions. Darnly

* Castaln. 463.

was not superior to his father in understanding, and all his passions were still more impetuous *. To these he added that insolence which the advantage of external form, when accompanied with no quality more valuable, is apt to inspire. Intoxicated with the queen's favour, he began already to assume the haughtiness of a king, and to put on that imperious air which majesty itself can scarce render tolerable.

It was by the advice, or at least with the consent of Murray and his party, that Lennox had been invited into Scotland †; and yet, no sooner did he acquire a firm footing in that kingdom, than he began to enter into secret cabals with those noblemen who were known to be avowed enemies to Murray, and with regard to religion to be either neutrals or favourers of popery ‡. Darnly, still more imprudent, allowed some rash expressions concerning those favours which the queen's bounty had conferred upon Murray to escape him §.

But above all these, the familiarity which Darnly cultivated with David Rizio the Italian, contributed to increase the suspicion and disgust of the nobles.

The low birth and indigent condition of this man, placed him in a station in which he ought naturally to have remained unknown

* Keith, 272, 273. † Knox, 367. Keith, 274.
‡ Id. 272. § Keith, 274.

to posterity. But what fortune called him to act and to suffer in Scotland, obliges history to descend from its dignity, and to record his adventures. He was the son of a musician in Turin, and having accompanied the Piedmontese ambassador into Scotland, gained admission into the queen's family by his skill in music. His servile condition had taught him suppleness of spirit, and insinuating manners. He quickly crept into the queen's favour, and her French secretary happening to return at that time into his own country, was preferred by her to that office. He now began to make a figure in court, and to appear as a man of weight and consequence. The whole train of suitors and expectants, who have an extreme sagacity in discovering the paths which lead most directly to success, applied to him. His recommendations were observed to have great influence over the queen, and he grew to be considered not only as a favourite, but as a minister. Nor was Rizio careful to abate that envy which always attends such an extraordinary and rapid change of fortune. He studied, on the contrary, to display the whole extent of his favour. He affected to talk often, and familiarly, with the queen in public. He equalled the greatest and most opulent subjects, in richness of dress, and in the number of his attendants. He discovered, in all his behaviour, that assuming insolence with which unmerited pros-

perity inspires an ignoble mind. It was with the utmost indignation that the nobles beheld the power, it was with the utmost difficulty that they tolerated the arrogance of this unworthy minion. Even in the queen's presence they could not forbear treating him with marks of contempt. Nor was it his exorbitant power alone which exasperated the Scots. They considered him, and not without reason, as a dangerous enemy to the protestant religion, and suspected that he held, for this purpose, a secret correspondence with the court of Rome *.

It was Darnly's misfortune to fall under the management of this man, who, by flattery and assiduity, easily gained on his vanity and inexperience. Rizio's whole influence on the queen was employed in his behalf, and contributed, without doubt, towards establishing him more firmly in her affections †. But whatever benefit he might reap from his patronage, it did not counterbalance the contempt, and even the infamy, to which he was exposed, on account of his familiarity with such an upstart.

Though Darnly daily made progress in the queen's affections, she conducted herself, however, with such prudent reserve, as to impose on Randolph the English resident, a man otherwise shrewd and penetrating. It appears from his letters at this period, that he

* Buchan. 340. Melv. 107. † Id. 111.

entertained not the least suspicion of the intrigue which was carrying on; and gave his court repeated assurances, that the Scottish queen had no design of marrying Darnly *. In the midst of his security, Mary dispatched Maitland to signify her intention to Elizabeth, and to solicit her consent to the marriage with Darnly. This embassy was the first thing which opened the eyes of Randolph.

April 18.] Elizabeth affected the greatest surprise at this sudden resolution of the Scottish queen, but without reason. The train was laid by herself, and she had no cause to wonder when it took effect. She expressed, at the same time, her disapprobation of the match in the strongest terms; and pretended to foresee many dangers and inconveniencies arising from it to both kingdoms. But this too was mere affectation. Mary had often, and plainly, declared her resolution to marry. It was impossible she could make any choice more inoffensive. The danger of introducing a foreign interest into Britain, which Elizabeth had so justly dreaded, was entirely avoided. Darnly, though allied to both crowns, and possessed of lands in both kingdoms, could be formidable to neither. It is evident, from all these circumstances, that Elizabeth's apprehensions of danger could not possibly be

* Keith, 273. and Append. 159.

serious; and that, in all her violent declarations against Darnly, there was much more of grimace than of reality *.

There were not wanting, however, political motives of much weight, to induce that wise princess to put on the appearance of great displeasure. Mary, intimidated by this, might perhaps delay her marriage; which Elizabeth desired to obstruct, with a weakness that little suited the dignity of her mind, and the elevation of her character. Besides, the tranquillity of her own kingdom was the great object of Elizabeth's policy; and by declaring her dissatisfaction with Mary's conduct, she hoped to alarm that party in Scotland which was attached to the English interest, and to encourage such of the nobles as secretly disapproved the match openly to oppose it. The seeds of discord would, by this means, be scattered through that kingdom: intestine commotions might arise. Amidst these, Mary could form none of those dangerous schemes to which the union of her

* Even the historians of that age acknowledge, that the marriage of the Scottish queen with a subject was far from being disagreeable to Elizabeth. Knox, 369, 573. Buchan. 339. Castelnau, who at that time was well acquainted with the intrigues of both the British courts, asserts, and upon grounds of great probability, that the match was wholly Elizabeth's own work; Castelu. 462. and that she rejoiced at the accomplishment of it, appears from the letters of her own ambassadors, Keith, 280, 288.

people might have prompted her. She herself would become the umpire between her and her contending subjects; and England might look on with security, while a storm which she had raised wasted the only kingdom which could possibly disturb its peace.

In prosecution of this scheme, she laid before her privy council [*May* 1,] the message from the Scottish queen, and consulted them with regard to the answer she should return. Their determination, it is easy to conceive, was perfectly conformable to her secret views. They drew up a remonstrance against the intended match, full of the imaginary dangers with which that event threatened the kingdom *. Nor did she think it enough to signify her disapprobation of the measure, either by Maitland, Mary's ambassador, or by Randolph, her own resident in Scotland: in order to add more dignity to the farce which she chose to act, she appointed Sir Nicholas Throgmorton her ambassador extraordinary. She commanded him to declare, in the strongest terms, her dissatisfaction with the step which Mary proposed to take; and at the same time to produce the determination of the privy council, as an evidence that the sentiments of the nation were not different from her own. Not long after, she confined Lady Lennox as a prisoner, first in her own house, and then sent her to the Tower †.

* Keith, 274. See App. No. X. † Keith, App 161.

Intelligence of all this reached Scotland before the arrival of the English ambassador. In the first transports of her indignation, Mary resolved no longer to keep any measures with Elizabeth; and sent orders to Maitland, who accompanied Throgmorton, to return instantly to the English court, and in her name to declare to Elizabeth, that after being amused so long to so little purpose; after being fooled, and imposed on so grossly, by her evasive artifices; she was now resolved to gratify her own inclination, and to ask no other consent but that of her own subjects, in the choice of an husband. Maitland, with his usual sagacity, foresaw all the effects of such a rash and angry message, and ventured rather to incur the displeasure of his mistress, by disobeying her commands, than to be made the instrument of tearing asunder so violently the few remaining ties which still linked together the two queens *.

Mary herself soon became sensible of her error. She received the English ambassador with respect; justified her own conduct with decency; and though unalterable in her resolution, she affected a wonderful solicitude to reconcile Elizabeth to the measure; and even pretended, out of complaisance towards her, to put off the consummation of the marriage for some months †. It is probable, however,

* Keith, Append. 160. † Id. 278.

that the want of the pope's dispensation, and the prospect of gaining the consent of her own subjects, were the real motives of this delay.

This consent Mary laboured with the utmost industry to obtain. The Earl of Murray was the person in the kingdom whose concurrence was of the greatest importance; but she had reason to fear that it would not be procured without extreme difficulty. From the time of Lennox's return into Scotland, Murray perceived that the queen's affections began gradually to be estranged from him. Darnly, Athole, Rizio, all the court favourites combined against him. His ambitious spirit could not brook this diminution of his power, which his former services had so little merited. He retired into the country, and gave way to rivals with whom he was unable to contend *. The return of the Earl of Bothwell, his avowed enemy, who had been accused of a design upon his life, and who had resided for some time in foreign countries, obliged him to attend to his own safety. No entreaty of the queen could persuade him to a reconcilement with that nobleman. He insisted on having him brought to a public trial, and prevailed, by his importunity, to have a day fixed for it. Bothwell durst not appear in opposition to a man, who came to

* Keith, 272, 274. Append. 159.

the place of trial attended by five thousand of his followers on horseback. He was once more constrained to leave the kingdom; but, by the queen's command, the sentence of outlawry, which is incurred by non-appearance, was not pronounced against him *.

But Mary, sensible of how much importance it was to gain a subject so powerful and so popular as the Earl of Murray, invited him back to court, [*May* 8,] and received him with many demonstrations of respect and confidence. At last she desired him to set an example to her other subjects, by subscribing a paper, containing a formal approbation of her marriage with Darnly. Murray had many reasons to hesitate, and even to withhold his assent. Darnly had not only undermined his credit with the queen, but discovered on every occasion a rooted aversion to his person. By consenting to his elevation to the throne, he would give him such an accession of dignity and power as no man willingly bestows on an enemy. The unhappy consequences which might follow upon a breach with England, were likewise of considerable weight with Murray. He had always openly preferred a confederacy with England, before the ancient alliance with France. By his means chiefly, this change in the system of national politics had been brought about.

* Keith, Append. 160.

A league with England had been established; and he could not think of sacrificing, to a rash and youthful passion, an alliance of so much utility to the kingdom, and which he and the other nobles were bound, by every obligation, to maintain *. Nor was the interest of religion forgotten on this occasion. Mary, though surrounded by protestant counsellors, had found means to hold a dangerous correspondence with foreign catholics. She had even courted the pope's protection, who had sent her a subsidy of eight thousand crowns †. Though Murray had hitherto endeavoured to bridle the zeal of the reformed clergy, and to set the queen's conduct in the most favourable light, yet her obstinate adherence to her own religion could not fail of alarming him; and by her resolution to marry a papist, the only hope of reclaiming her which remained was for ever cut off. Each of these considerations had its influence on Murray, and all of them determined him to decline complying at that time with the queen's request.

The convention of nobles, which was assembled a few days after, [*May* 14,] discovered a greater disposition to gratify the queen. Many of them without hesitation expressed their approbation of the intended match; but as others were startled at the same dan-

* Keith, 169. † Ibid. 295. Melv. 114.

gers which had alarmed Murray, or were influenced by his example to refuse their consent, another convention was appointed at Perth, in order to deliberate more fully concerning this matter *.

Mean while, Mary gave a public evidence of her own inclination, by conferring upon Darnly titles of honour peculiar to the royal family. The opposition she had hitherto met with, and the many contrivances employed to thwart and disappoint her inclination, produced their usual effect on her heart; they confirmed her passion, and increased its violence. The simplicity of that age imputed an affection so excessive to the influence of witchcraft †. It was owing, however, to no other charm than the irresistible power of youth and beauty over a young and tender heart. Darnly grew giddy with his prosperity. Flattered by the love of a queen, and the applause of many among her subjects, his natural haughtiness and insolence became insupportable, and he could no longer bear advice, far less contradiction. Lord Ruthven happening to be the first person who informed him that Mary, in order to sooth Elizabeth, had delayed for some time creating him Duke of Albany, he, in a frenzy of rage, drew his dagger and attempted to stab him ‡. It required all Mary's attention, to

* Keith, 283. Knox, 373. † Keith, 283. ‡ Ib. Ap. 160.

prevent his falling under that contempt to which such behaviour deservedly exposed him.

In no scene of her life was ever Mary's own address more remarkably displayed. Love sharpened her invention, and made her study every method of gaining her subjects. Many of the nobles she won by her caresses, and more by her promises. On some she bestowed lands, to others she gave new titles of honour *. She even condescended to court the protestant clergy: and having invited three of their superintendants to Stirling, she declared in strong terms her resolution to protect their religion, expressed her willingness to be present at a conference upon the points in doctrine which were disputed between the protestants and papists, and went so far as to show some desire to hear such of their preachers as were most remarkable for moderation †. By these arts, the queen gained wonderfully upon the people, who, unless their jealousy be raised by repeated injuries, are always ready to view the actions of their sovereign with an indulgent eye.

On the other hand, Murray and his associates were plainly the dupes of Elizabeth's policy. She talked in so high a strain of her displeasure at the intended match; she treated Lady Lennox with so much rigour;

* Keith, 283. † Knox, 373.

she wrote to the Scottish queen in such strong terms; she recalled the Earl of Lennox and his son in such a peremptory manner, and with such severe denunciations of her vengeance, if they presumed to disobey *; that all these expressions of aversion fully persuaded them of her sincerity. This belief fortified their scruples with respect to the match, and encouraged them to oppose it. They began with forming among themselves bonds of confederacy and mutual defence; they entered into a secret correspondence with the English resident, in order to secure Elizabeth's assistance when it should become needful †; they endeavoured to fill the nation with such apprehensions of danger, as might counterbalance the influence of those arts which the queen had employed.

Besides these intrigues, there were secretly carried on by both parties, dark designs of a more criminal nature, and more suitable to the spirit of the age. Darnly, impatient of that opposition, which he imputed wholly to Murray, and resolving at any rate to get rid of such a powerful enemy, formed a plot to assassinate him, during the meeting of the convention at Perth. Murray, on his part, despairing of preventing the marriage by any other means, had, together with the Duke of Chatelherault, and the Earl of Argyle,

* Keith, 285, 286. † Ib. 289, 292, 298.

concerted measures for seizing Darnly, and carrying him a prisoner into England.

If either of these conspiracies had taken effect, this convention might have been attended with consequences extremely tragical; but both were rendered abortive, by the vigilance or good fortune of those against whom they were formed. Murray, being warned of his danger by some retainers to the court, who still favoured his interest, avoided the blow, by not going to Perth. Mary receiving intelligence of Murray's enterprise, retired with the utmost expedition, along with Darnly, to the other side of Forth. Conscious on both sides of guilt, and inflamed with resentment, it was impossible they could either forget the violence which themselves had meditated, or forgive the injuries intended against them. All hope of reconcilement was at an end from that moment, and their mutual enmity burst out with every symptom of implacable hatred *.

* The reality of these two opposite conspiracies has given occasion to many disputes, and much contradiction. Some deny that any design was formed against the life of Murray; others call in question the truth of the conspiracy against Darnly. There seem, however, to be good reason for believing both; though the zeal and credulity of party-writers have added to each many exaggerated circumstances. The following arguments render it probable that some violence was intended against Murray.

On Mary's return to Edinburgh, she summoned her vassals by proclamation, and so-

I. This is positively asserted, 1. by Buchanan, 341. 2. The English resident writes to Cecil, that Murray was assuredly informed that a design was laid to murder him at Perth, and describes the manner in which this plot was to have been executed. Keith, 287. 3. Murray himself constantly and publicly affirmed, that such a design was formed against his life. Keith, Append. 108. And though he was called upon by the queen to bring legal evidence of his assertion, and a safe-conduct offered him while he came to court for that purpose, Ibid. yet whoever considers Murray's situation, and the spirit of those who ruled in court at that time, will scarce deem it any proof of his guilt, that he did not choose to risk his person on such security. 4. The furious passions of Darnly, the fierceness of his resentment, which scrupled at no violence, and the manners of the age, rendered the imputation of such a crime less improbable.

II. That Murray and his associates had resolved to seize Darnly's person, appears, 1. From the express testimony of Melvil, 112. Buchanan, p 341, and Knox, p. 377, affect, but without reason, to represent this as an idle rumour. 2. The question was put to Randolph, whether the governor of Berwick would receive Lennox and his son, if they were carried prisoners to that place. This plainly shows, that some such design was in hand, and Randolph did not discourage it by the answer which he gave. Keith, 290. 3. The precipitation with which the queen retired, and the reason she gave for this sudden flight, are mentioned by Randolph, 291. 4. A great part of the Scottish nobles, and among these the Earls of Argyle and Rothes, who were themselves privy to their design, assert the reality of the conspiracy. Good. vol. ii. 358.

All these circumstances leave little room to doubt of the truth of both conspiracies. But we may observe

licited them by her letters, to repair thither in arms, for the protection of her person against her foreign and domestic enemies *.

how far this proof, though drawn from public records, falls short, on both sides, of legal and formal evidence. Buchanan and Randolph, in their accounts of the conspiracy against Murray, differ widely in almost every circumstance. The accounts of the attempt upon Darnly are not more consistent. Melvil alleges, that the design of the conspirators was to carry Darnly a prisoner into England; the proposal made to Randolph agrees with this. Randolph says, that they intended to carry the queen to St. Andrew's, and Darnly to Castle Campbell. The lords, in their declaration, affirm the design of the conspirators to have been to murder Darnly and his father, to confine the queen in Lochleven during life, and to usurp the government. To believe implicitly whatever they find in an ancient paper, is a folly to which antiquaries are liable; but ancient papers often contain nothing more than the slanders of a party, and the lie of the day. The declaration of the nobles referred to, is of this kind; it is plainly rancorous, and written in the very heat of faction. Many things are asserted in it evidently false or exaggerated. Let Murray and his confederates be as ambitious as we can suppose, they must have had some pretences, and plausible ones too, before they could venture to imprison their sovereign for life, and to seize the reins of government; but at that time the queen's conduct had afforded no colourable excuse for proceeding to such extremities. It is likewise remarkable, that in all the proclamations against Murray, of which so many are published in Keith, Appendix, 108, &c. neither the violent attempt upon Darnly, nor that which he is alleged to have formed against the queen herself, are ever once mentioned.

* Keith, 298.

She was obeyed with all the promptness and alacrity with which subjects run to defend a mild and popular administration. This popularity, however, she owed in a great measure to Murray, who had directed her administration with great prudence. But the crime of opposing her marriage obliterated the memory of his former services; and Mary, impatient of contradiction, and apt to consider those who disputed her will as enemies to her person, determined to let him feel the whole weight of her vengeance. For this purpose, she summoned him [*July* 19,] to appear before her upon a short warning, to answer to such things as should be laid to his charge *. At this very time, Murray, and the lords who adhered to him, were assembled at Stirling, to deliberate what course they should hold in such a difficult conjuncture. But the current of popular favour ran so strongly against them, and, notwithstanding some fears and jealousies, there prevailed in the nation such a general disposition to gratify the queen in a matter which so nearly concerned her, that without coming to any other conclusion than to implore the queen of England's protection, they put an end to their ineffectual consultations, and returned every man to his own house.

Together with this discovery of her enemies weakness, the confluence of her sub-

* Keith, Append. 108.

jects from all corners of the kingdom afforded Mary an agreeable proof of her own strength. While the queen was in this prosperous situation, she determined to bring to a period an affair which had so long engrossed her heart, and occupied her attention. On the twenty-ninth of July, she married Henry Stewart Lord Darnly. The ceremony was performed in the queen's chapel, according to the rites of the Romish church; the pope's bull, dispensing with their marriage, having been previously obtained*. She issued, at the same time, proclamations, conferring the title of King of Scots upon her husband, and commanding that henceforth all writs at law should run in the joint names of king and queen†. Nothing can be a stronger proof of the violence of Mary's love, or the weakness of her councils, than this last step. Whether she had any right to choose a husband without the consent of parliament, was in that age a matter of some dispute‡: that she had no right to confer upon him, by her private authority, the title and dignity of king, or by a simple proclamation to raise her husband to be the master of her people, seems to be beyond all doubt. Francis II. indeed, bore the same title. It was not, however, the gift of the

* Keith, Append. 108. See Append. No. XI.

† Anderson, 1. 33.

‡ Buchan. 341.

queen, but of the nation; and the consent of parliament was obtained before he ventured to assume it. Darnly's condition as a subject, rendered it still more necessary to have the concurrence of the supreme council in his favour. Such a violent and unprecedented stretch of prerogative, as the substituting a proclamation in place of an act of parliament, might have justly alarmed the nation; but the queen possessed so entirely the confidence of her subjects, that notwithstanding all the clamours of the malecontents, no symptoms of general discontent appeared on that account.

Even amidst that scene of joy which always accompanies successful love, Mary did not suffer the course of her vengeance against the malecontent nobles to be interrupted. Three days after the marriage, Murray was again summoned to court, under the severest penalties, and upon his non-appearance, the rigour of justice took place, and he was declared an outlaw *. At the same time, the queen set at liberty Lord Gordon, who, ever since his father's insurrection in the year 1562, had been detained a prisoner; she recalled the Earl of Sutherland, who, on account of his concern in that conspiracy, had fled into Flanders; and she permitted Bothwell to return again into

* Keith, 309, 310.

Scotland. The first and last of these were among the most powerful subjects in the kingdom, and all of them animated with implacable hatred to Murray, whom they esteemed the enemy of their families, and the author of their own sufferings. This common hatred became the foundation of the strictest union with the queen, and gained them an ascendant over all her councils. Murray himself considered this confederacy with his avowed enemies as a more certain indication than any she had yet taken of her inexorable resentment.

The malecontents had not yet openly taken up arms *. But the queen having ordered her subjects to march against them, they were driven to the last extremity. They found themselves unable, however, to make head against the numerous forces which Mary had assembled, and fled into Argyleshire, in expectation of aid from Elizabeth, to whom they had secretly dispatched a mes-

* After their fruitless consultation at Stirling, the lords retired to their own houses. Keith, 304. Murray was still at St. Andrew's on July 22. Keith, 306. By the places of rendezvous appointed for the inhabitants of the different counties, August 4, it appears, that the queen's intention was to march into Fife, the county in which Murray, Rothes, Kirkaldy, and other chiefs of the malecontents, resided. Keith, 310. Their flight into the west, Keith, 312, prevented this expedition, and the former rendezvous was altered. Keith, 310.

senger, in order to implore her immediate assistance *.

Mean while, Elizabeth endeavoured to embarrass Mary, by a new declaration of her disgust at her conduct. She blamed both her choice of Lord Darnly, and the precipitation with which she had concluded the marriage. She required Lennox and Darnly, whom she still called her subjects, to return into England; and at the same time, she warmly interceded in behalf of Murray, whose behaviour she represented to be not only innocent, but laudable. This message, so mortifying to the pride of the queen, and so full of contempt for her husband, was rendered still more insupportable, by the petulant and saucy demeanour of Tamworth, the person who delivered it †. Mary vindicated her own conduct with warmth, but with great strength of reason, and rejected the intercession in behalf of Murray, not without signs of resentment at Elizabeth's pretending to intermeddle in the internal government of her kingdom ‡.

She did not, on that account, intermit in the least the ardour with which she pursued Murray and his adherants §. They now ap-

* Keith, 312. Knox, 389. † Camd. 298.
‡ Keith, Append. 99.

§ The most considerable persons who joined Murray, were the Duke of Chatelherault, the Earls of Argyle, Glencairn, Rothes; Lords Boyd and Ochiltree; the

peared openly in arms; and having received a small supply in money from Elizabeth *, were endeavouring to raise their followers in the western counties. But Mary's vigilance hindered them from assembling in any considerable body. All her military operations at that time were concerted with wisdom, executed with vigour, and attended with success. In order to encourage her troops, she herself marched along with them, rode with loaded pistols †, and endured all the fatigues of war with admirable fortitude. Her alacrity inspired her forces with an invincible resolution, which, together with their superiority in number, deterred the malecontents from facing them in the field; but having artfully passed the queen's army, they marched with the utmost precipitation to Edinburgh, and endeavoured to rouse the inhabitants of that city to arms, [*Aug.* 31.] The queen did not suffer them to remain long unmolested; and on her approach they were forced to abandon that place, and retire in confusion towards the western borders ‡.

As it was uncertain for some time what route they had taken, Mary employed that

Lairds of Grange, Cunninghamhead, Balcomie, Carmylie, Lawers, Bar, Dreghorn, Pitarrow, Comptroller, and the Tutor of Pitcur. Knox, 382.

* Knox, 380. † Keith, Append. 164. ‡ Id. 315.

interval in providing for the security of the counties in the heart of the kingdom. She seized the places of strength which belonged to the rebels, and obliged the considerable barons in those shires which she most suspected to join in associations for her defence *. Having thus left all the country behind her in tranquillity, she, with an army eighteen thousand strong, marched towards Dumfries, where the rebels then were. During their retreat, they had sent letters to the queen from almost every place where they halted, full of submission, and containing various overtures towards an accommodation. But Mary, who determined not to let slip such a favourable opportunity of crushing the mutinous spirit of her subjects, rejected them with disdain. As she advanced, the malecontents retired; and having received no effectual aid from Elizabeth †, they despaired of any other means of safety, fled into England, and put themselves under the protection of the Earl of Bedford, warden of the marches, [*October* 20].

Nothing which Bedford's personal friendship for Murray could supply, was wanting to render their retreat agreeable. But Elizabeth herself treated them with extreme neglect. She had fully gained her end, and by their means had excited such discord and jealou-

* Keith, Append. 113. † See Append. No. XII. XIII.

sies among the Scots, as would in all probability long distract and weaken Mary's councils. Her business now was to save appearances, and to justify herself to the ministers of France and Spain, who accused her of fomenting the troubles in Scotland by her intrigues. The expedient she contrived for her vindication, strongly displays her own character, and the wretched condition of exiles, who are obliged to depend on a foreign prince. Murray, and Hamilton abbot of Kilwinning, being appointed by the other fugitives to wait on Elizabeth, instead of meeting with that welcome reception which was due to men, who, out of confidence in her promises, had hazarded their lives and fortunes, could not even obtain the favour of an audience, until they had meanly consented to acknowledge, in the presence of the French and Spanish ambassadors, that Elizabeth had given them no encouragement to take arms. No sooner did they make this declaration, than she astonished them with this reply, "You have declared the truth; I am far from setting an example of rebellion to my own subjects, by countenancing those who rebel against their lawful prince. The treason of which you have been guilty is detestable; and as traitors I banish you from my presence*." Notwithstanding this scene of

* Melv. 111.

farce and of falsehood, so dishonourable to all the persons who acted a part in it, Elizabeth permitted the malecontents peaceably to reside in her dominions, supplied them secretly with money, and renewed her solicitations with the Scottish queen in their favour *.

The advantage she had gained over them did not satisfy Mary; she resolved to follow the blow, and to prevent a party which she dreaded from ever recovering any footing in the nation. With this view, she called a meeting of parliament; and in order that a sentence of forfeiture might be legally pronounced against the banished lords, she summoned them, by public proclamation, to appear before it †.

The Duke of Chatelherault, on his humble application, obtained a separate pardon, [*Dec.* 1]; but not without difficulty, as the king violently opposed it. He was obliged, however, to leave the kingdom, and to reside for some time in France ‡.

The numerous forces which Mary brought into the field, the vigour with which she acted, and the length of time she kept them in arms, resemble the efforts of a prince with revenues much more considerable than those which she possessed. But armies were then levied and maintained by a prince at small

* Knox, 389. † Keith, 320. ‡ Knox, 389.

charge. The vassal followed his superior, and the superior attended the monarch, at his own expence. Six hundred horsemen, however, and three companies of foot, besides her guards, received regular pay from the queen. This extraordinary charge, together with the disbursements occasioned by her marriage, exhausted a treasury which was far from being rich. In this exigency, many devices were fallen upon for raising money. Fines were levied on the towns of St. Andrew's, Perth, and Dundee, which were suspected of favouring the malecontents; an unusual tax was imposed on the boroughs throughout the kingdom; and a great sum was demanded of the citizens of Edinburgh, by way of loan. This unprecedented exaction alarmed the citizens. They had recourse to delays, and started difficulties, in order to avoid it. These Mary construed to be acts of avowed disobedience, and instantly committed several of them to prison. But this severity did not subdue the undaunted spirit of liberty which prevailed among the inhabitants. The queen was obliged to bestow upon the city the *superiority* of the town of Leith, in return for which she obtained a considerable sum of money *. The thirds of ecclesiastical benefices proved another source, whence the queen derived some sup-

* Knox, 383, 386.

ply. About this time, we find the protestant clergy complaining more bitterly than ever of their poverty. The army, it is probable, exhausted a great part of that fund which was appropriated for their maintenance *.

The assemblies of the church were not unconcerned spectators of the commotions of this turbulent year. In the meeting June twenty-fourth, several of the malecontent nobles were present, and seem to have had great influence on their decisions. The high strain in which the assembly addressed the queen, can be imputed only to those fears and jealousies, with regard to religion, which they endeavoured to infuse into the nation. The assembly complained with some bitterness of the stop which had been put to the progress of the reformation by the queen's arrival in Scotland; they required not only the total suppression of the popish worship throughout the kingdom, but even in the queen's own chapel; and besides the legal establishment of the protestant religion, they demanded that Mary herself should publicly embrace it. The queen, after some deliberation, replied, that neither her conscience, nor her interest, would permit her to take such a step. The former would for ever reproach her for a change which pro-

* Maitl. Hist. of Edinburgh, 27.

eeded from no inward conviction; the lat-
er would suffer by the offence which her a-
ostacy must give to the king of France,
hd her other allies on the continent *.

It is remarkable, that the prosperous si-
uation of the queen's affairs, during this
ear, began to work some change in favour
f her religion. The Earls of Lennox, A-
ol, and Caffils, openly attended mass: she
erself afforded the catholics a more avowed
otection than formerly; and by her per-
ission, some of the ancient monks ventur-
l to preach publicly to the people †.

* Knox, 374, 376. † Id. 389, 390.

END OF VOLUME FIRST.